

Candlewick Lake Association  
Environmental Control Committee  
Building  
Rules and Regulations

**SECTION 100: GENERAL CONSTRUCTION INFORMATION**

100	PURPOSE
101	SAFETY
104	AUTHORITY OF THE ENVIRONMENTAL CONTROL COMMITTEE
108	NOTIFICATION OF CHANGES TO RULES AND REGULATIONS
112	NO CONSTRUCTION WITHOUT PRIOR COMMITTEE APPROVAL
113	BUILDING PERMITS
116	PROPERTY OWNER RESPONSIBILITY
120	LIMITS OF LIABILITY
124	AUTHORIZATION TO IMPOSE FINES
128	BUILDING PACKAGES
132	REFUSAL OF PERMISSION
136	TIME LIMIT OF APPROVAL
140	RESPONSIBILITY OF NOTIFICATION
144	SIMILAR DESIGN RESTRICTIONS
148	LOCATION OF UTILITY LINES
150	SIZE AND WEIGHT LIMITATIONS
151	MODULAR HOMES
152	USE OF ADJACENT PROPERTY
156	HOUSE MINIMUM SQUARE FOOTAGE
160	SET BACK REQUIREMENTS
164	PRE-SOLD CONTRACTS / SPECULATIVE HOUSES
168	EXTERIOR CHANGES TO THE HOUSE
172	CONSTRUCTION OVER LOT LINES
176	VARIANCES
180	APPEALS

**SECTION 200: CONSTRUCTION SPECIFICATIONS**

208	ROOF PITCH
216	OVERHANGS
221	BACKFILLING MATERIALS
224	MAXIMUM HEIGHT
228	ON SITE SOIL INVESTIGATIONS
230	DRAINAGE
235	PORCH WITH ROOF
236	FOUNDATION ELEVATIONS AND BACKFILLING
237	CHANGES TO TOP OF FOUNDATION
238	FOOTINGS / FOUNDATION WALLS
240	HOUSE NUMBERS
248	INSULATION
252	STRUCTURAL HEADERS
256	STRUCTURAL FLOORS
257	BASEMENT EGRESS WINDOWS
259	EXTERIOR DOORS
262	SEEDING/SODDING
266	EROSION CONTROL
272	CRAWL SPACES
280	CULVERTS
284	DRIVEWAYS
288	DRAIN TILE

**SECTION 300: HOUSE APPROVAL AND CONSTRUCTION PROCEDURE**

312	PROPOSED HOUSE TO BE STAKED OUT ON LOT
316	PROOF OF OWNERSHIP
320	TO OBTAIN AN E.C.C. MEETING APPOINTMENT
324	WHAT IS REQUIRED AFTER THE HOUSE PLANS HAVE BEEN APPROVED
328	WHAT MUST BE DONE DURING CONSTRUCTION
332	AT THE COMPLETION OF ROUGH IN
336	AT COMPLETION OF CONSTRUCTION

**SECTION 400: CONTRACTOR INFORMATION**

- 420 REFUNDABLE CONSTRUCTION DEPOSIT AND TIME LIMITS
- 424 DAMAGE TO PROPERTY
- 428 STOP WORK ORDERS
- 432 GENERAL CONTRACTOR SIGNS
- 436 TRUCKS & EQUIPMENT
- 440 DUMPSTERS
- 444 BURNING
- 448 NEW MATERIAL
- 456 SPRINGTIME ROAD POSTINGS
- 460 CONSTRUCTION HOURS
- 472 VIOLATIONS

**SECTION 500: MISCELLANEOUS CONSTRUCTION**

- 504 BOATHOUSES / BOATLIFTS
- 510 DRAINAGE DITCH AREA
- 512 DECKS
- 516 DOG RUNS
- 520 DRIVEWAYS
- 522 EXTERIOR LIGHTING
- 523 EXTERIOR DECORATIONS
- 524 EXTERIOR REMODELING
- 526 METAL OR GLASS SUNROOMS OR THREE/FOUR SEASON ROOM ADDITIONS
- 527 GARDEN FENCES
- 528 FENCING
- 529 WIRE(UNDERGROUND) / WIRELESS DOG FENCES
- 530 DECORATIVE LOT CORNER MARKERS
- 532 GARAGES
- 536 GAZEBOS
- 540 LP TANKS
- 548 PIERS / DOCKS
- 552 PLAYHOUSES / TREE HOUSES
- 556 POOLS (IN GROUND)
- 560 POOLS (ABOVE GROUND)
- 562 RAIN BARRELS
- 564 FULL SIZE SATELLITE DISHES
- 572 SHEDS
- 578 SHORELINE STABILIZATION
- 580 TREE REMOVAL
- 584 REFUSE ENCLOSURES

**SECTION 600: COMMON GROUND**

- 604 UTILIZATION OF COMMON GROUND
- 608 COMMON AREA OBSTRUCTION REMOVAL

**SECTION 700: SIGNS**

- 700 SIGNS

## **SECTION 100: GENERAL CONSTRUCTION INFORMATION**

### **100 - PURPOSE**

The purpose of this book is to document the building regulations at Candlewick Lake. The Candlewick Lake Association (hereinafter referred to as Candlewick Lake or the Association) reserves the right to add, change or delete any rules and regulations in this book.

### **101 - SAFETY**

All construction workers and procedures must fully comply with the regulations of the Occupational Safety and Health Act (OSHA) and other authorities having jurisdiction.

### **104 - AUTHORITY OF THE ENVIRONMENTAL CONTROL COMMITTEE**

The Building Rules and Regulations are under the auspice and control of the Environmental Control Committee. To understand the breadth and powers of the Environmental Control Committee, see Section V, Paragraph A of the Covenants, Conditions and Restrictions (CC&R's).

### **108 - NOTIFICATION OF CHANGES TO RULES AND REGULATIONS**

Property owners will be notified of any changes through the Candlewick Lake Association Newspaper.

### **112 - NO CONSTRUCTION WITHOUT PRIOR COMMITTEE APPROVAL**

No house or improvement of any type may be constructed or placed on any lot in the Development without the prior written approval of the Environmental Control Committee. Any house or improvement approved by the Environmental Control Committee is approved according to the design requirements, limitations and restrictions of the CC&R's. Such approval shall be obtained only after written application has been made to the Environmental Control Committee by the owner of the lot. Such written application shall be in the manner and form as required by the Environmental Control Committee. Permits or reports shall be submitted, where applicable, as required by the Environmental Control Committee. Any improvement not listed in the Building Rules and Regulations is subject to approval by the Environmental Control Committee.

### **113 – BUILDING PERMITS**

All dues, fines, and other fees owed by an Association member on any property must be paid in full before a Building Permit is issued for any of his properties.

### **116 - PROPERTY OWNER RESPONSIBILITY**

The property owner is responsible for the actions and activities of all persons issued passes or entry under his lot. It is the property owner's responsibility to make all such persons aware of the Association Rules and Regulations.

### **120 - LIMITS OF LIABILITY**

The Candlewick Lake Building Inspectors, Committee Members, employees and officers charged with the enforcement of these Rules and Regulations, while acting for the Association, shall not thereby render himself liable personally, and he is hereby relieved from all personal liability for any damage that may accrue to persons or property as a result of any act required or permitted in the discharge of his official duties. Any suit instituted against any officer or employee because of an act performed by him in the lawful discharge of his duties and under the provisions of these Rules and Regulations shall be defended by the legal representative of the Association until the final termination of the proceedings. The Environmental Control Committee Officials shall not be liable for costs in any action, suit or proceeding that may be instituted in pursuance of these Rules and Regulations and any of its provisions, or by reason of any act or omission in the performance of his official duties in connections therewith. While acting within their official capacity, Environmental Control Committee Officials, finding any fault on any inspection shall be exempt from the fault. It shall remain the property owner's responsibility to correct any fault to the satisfaction of the Environmental Control Committee.

### **124 - AUTHORIZATION TO IMPOSE FINES**

The Environmental Control Committee shall have the power, pursuant to the Covenants, Conditions and Restrictions and

the Building Rules and Regulations to levy a fine or to recommend to the Candlewick Lake Board of Directors to seek injunction relief in the event that any improvement is constructed in violation with the Environmental Control Committee approved specifications.

The Environmental Control Committee is authorized to fine a property owner when a stop work order is issued; a separate offense shall be deemed committed on each day that a violation occurs or continues. Nothing in this section shall prevent the Association from obtaining other appropriate relief.

### **128 - BUILDING PACKAGES**

One copy of all required applications and Environmental Control Committee Building Rules and Regulations will be presented to a lot owner free of charge. The Association reserves the right to assess a fee for additional copies. There will be a charge for this Candlewick Lake Building Package for non-property owners.

### **132 - REFUSAL OF PERMISSION**

According to the CC&R's, Section V, Paragraph A (ii): The committee may refuse to grant permission to construct, place or make the requested improvements when: (aa) The drawings or other material submitted are themselves inadequate or incomplete, or show the proposed improvement to be in violation of these restrictions. (bb) The design or color scheme of a proposed improvement is not in harmony with the general surroundings of said lot or with adjacent buildings or structures. (cc) The proposed improvement, or any part thereof, would in the opinion of the Committee, be contrary to the interests, welfare or rights of part or all of the owners of other lots in the Development.

### **136 - TIME LIMIT OF APPROVAL**

A Candlewick Lake Building Permit must be issued within ninety (90) days from the approval of the Environmental Control Committee. Building Permits and Inspection Fees are valid for eight (8) months from date of issue for new house construction and six (6) months for all other construction. Construction shall be considered complete when a Boone County Certificate of Occupancy is issued or final approval granted. Candlewick Lake Building Permits may be renewed as detailed below.

- 1.) A one time thirty (30) day extension may be granted.
- 2.) Before a Building Permit is renewed again, the builder and owner or contract holder shall, by appointment, come before the Environmental Control Committee with a written detailed dated schedule showing the proposed steps to be taken to complete the project. Acceptance of this proposed schedule will be at the discretion of the Environmental Control Committee.
- 3.) A renewal permit will only be issued after paragraphs one and two are honored and all fines are paid.

### **140 - RESPONSIBILITY OF NOTIFICATION**

When a surveyor is contracted to survey a lot, it is the property owner's responsibility to notify Public Safety according to the provisions for guest entry.

### **144 - SIMILAR DESIGN RESTRICTIONS**

It is the intent through these regulations that houses, as to design and colors scheme, be in harmony with general surroundings. Numerous houses of similar design or color are not in the best interest or in harmony with the Development. Therefore, to ensure Candlewick Lake develops consistent with these interests, the following shall be applicable.

- 1.) Houses of similar design must be located at least 1,500 feet from each other if built on the same street.
- 2.) Houses of similar design may not be located within 400 feet (measured from the center of the home on the lot) if located on different streets.
- 3.) Only three (3) houses of similar design may be located within each of the existing twelve (12) units of Candlewick Lake.

## **148 - LOCATION OF UTILITY LINES**

Prior to any digging, JULIE (Joint Utility Locating Information for Excavators) must be called at 1-800-892-0123. Allow at least 72 hours advance notice.

## **150 – SIZE AND WEIGHT LIMITATIONS**

- 1.) Entry gates are eleven (11) feet wide and vehicles or loads over ten (10) feet wide are not allowed.
- 2.) Road weight limit is 75,000 pounds. See Section 4-1 of the Candlewick Lake Association Rules and Regulations for specific vehicle weight limits.
- 3.) Crane outriggers may not be placed on any Candlewick Lake road without suitable weight disbursement pads so as to not damage the road. The property owner is responsible to repair any damage to the road. Cranes may not exceed the allowable weight limit for Candlewick Lake roads.

## **151 – MODULAR HOMES**

The width of modular homes exceeds the width of the entrance gates into Candlewick Lake. The cranes used to set the modular homes exceed the weight limit for Candlewick Lake roads. Accordingly, no modular homes are permitted in Candlewick Lake.

## **152 - USE OF ADJACENT PROPERTY**

Written permission of adjacent lot owners is required if the use of their lot is needed. A copy of this signed agreement must be submitted to the Building Department. Written permission of the General Manager is required if the use of common ground is needed.

## **156 - HOUSE MINIMUM SQUARE FOOTAGE**

The minimum square footage of living space for all new house construction shall be 1,400 square feet.

## **160 - SETBACK REQUIREMENTS**

Except as may be otherwise provided in these restrictions or on the plat, no house or other structure shall be constructed or placed on any numbered lot in the Development except as follows:

- 1.) **FRONT YARDS.** The front building setback line shall be thirty (30) feet from the front lot line or as otherwise shown on the record plat.
- 2.) **SIDE YARDS.** The side yard set back line shall be ten (10) feet from the side line of the lot, except where said lot is a corner lot, in which case the setback line shall be twenty-five (25) feet on the corner side or as shown on the record plat.
- 3.) **REAR YARD - NON-LAKE PROPERTY.** The minimum rear setback shall be twenty (20) feet or twenty-five (25) percent of the depth of the lot, whichever is greater. The rear lot line is the lot line that is farthest from and substantially parallel to the road on which the lot abuts, except on corner lots, it may be determined from either abutting road.
- 4.) **REAR YARD – LAKE PROPERTY.**
  - a.) In establishing the rear set back line on lake front property, the following regulation will be established: a house built at the thirty-five (35) foot set back line from the lakeshore will have an angle of view of 70 degrees to the right and to the left extending beyond their lot line. A house built farther back from the lakeshore will have a proportionally decreased angle of view.
  - b.) With the exception of approved docks, no permanent structure (i.e. house, deck) shall be built within thirty-five (35) feet of the lake.
  - c.) To determine the acceptable position of any proposed house the following formula shall be followed:

- 1.) A survey will be required showing the closest house to the left and the closest house to the right and the buildable area for the proposed house.
- 2.) Two lines shall be drawn on the survey from street to lake, one line bisecting the closest lot with a house to the left and one line bisecting the closest lot with a house to the right.
- 3.) The intersection of this bisecting line and a line drawn perpendicular to it from the point of the existing structure that is closest to the lake shall be the base point to be used in determining that owner's line of sight. For example, if that existing house base point is at the 35-foot minimum set back line from the lake, the right to sight on the lake side of the property will be a maximum of 70 degrees to each side of the base point and the bisecting line running towards the lake. This is that property owner's right to sight and must be kept clear of any structure.
- 4.) If that house is set more than thirty-five (35) feet from the shoreline, the right to sight angle shall be reduced one degree for every one foot of additional set back.
- 5.) The buildable area and building setbacks for the proposed house as previously established by the recorded plat or court order shall not violate the line of sight as set forth by this proposal.

**5.) PROJECTIONS OF ARCHITECTURAL FEATURES.**

Certain architectural features may project into required front, rear and side yards as follows:

- a.) Cornices, canopies, or other architectural features may project a distance not exceeding two (2) feet, six (6) inches.
- b.) Uncovered stairs and necessary landings may project a distance not to exceed six (6) feet, provided such stair and landing shall not extend above the entrance floor of the building except for a railing not exceeding three (3) feet in height.
- c.) Bay windows, balconies, uncovered porches and chimneys may project a distance not exceeding three (3) feet, provided that such features do not occupy, in the aggregate, more than one-third (1/3) of the length of the building wall on which they are located.

- 6.) **CUL DE SACS.** The front building setback line for lots abutting a cul de sac shall be as shown on the recorded plat.

**164 - PRE-SOLD CONTRACTS / SPECULATIVE HOUSES**

- 1.) No contractor, builder, developer or individual shall be allowed more than one (1) speculative house, completed or under construction, at any time.
- 2.) If any contract to build is voided for any reason prior to the transfer of deed to the new house owner, the house shall be considered a speculative house.
- 3.) If a house has been pre-sold to a firm buyer prior to the start of construction, the number of homes being built will not be limited provided all other regulations, CC&R's and By-Laws are met. Proof of pre-sold contract must be submitted to the Environmental Control Committee
- 4.) The following documents must be submitted for pre-sold houses when plans are submitted for approval.
  - a.) A contract to build house.
  - b.) Statement of approved financing by a registered lender.
  - c.) A current driver's license or other picture identification.

- d.) Signatures on the loan application, contract, driver's license and other applicable documents must match.

### **168 - EXTERIOR CHANGES TO THE HOUSE**

- 1.) All exterior changes to the house must be submitted for approval.
  - a.) The Environmental Control Committee must approve any significant changes to the exterior of the house.
  - b.) The Candlewick Lake Building Inspector may approve minor changes (windows, doors, etc.).
- 2.) A Design Change Form must be filled out for all changes.
- 3.) Any change without approval will result in a citation and a stop work order.

### **172 - CONSTRUCTION OVER LOT LINES**

Before submitting an application to the Environmental Control Committee for construction over a lot line, the property owner must replat the two lots into one lot and record this change with the Boone County Clerk.

### **176 - VARIANCES**

The Environmental Control Committee may allow reasonable variances. See CC & R's Section V, Paragraph A, iii.

- 1.) Application
  - a.) An application for a variance shall be submitted to the Environmental Control Committee on a required form.
  - b.) Variances for construction over the setback lines shall be considered by the Environmental Control Committee only after approval has been granted by Boone County.
- 2.) Conditions for Determining a Variance
  - a.) The particular physical surroundings, shape, or topographical condition of the specific property involved would result in a particular hardship upon the owner, as distinguished from a mere inconvenience, if the strict letter of the regulations were carried out.
  - b.) The proposed variance will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion in the public streets, or increase the danger of fire, or endanger the public safety, or substantially diminish or impair property values within the neighborhood, or adversely affect the health, morals, or general welfare of the public.
  - c.) The variance is unique to the property and would not be applicable to other property within the same classification.
  - d.) No consideration will be given exclusively upon financial considerations.
  - e.) No consideration will be given to a difficulty or hardship created by the owner of the property.
  - f.) The granting of the variance will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located.

### **180 - APPEALS**

Any denial by the Environmental Control Committee may be appealed to the full Candlewick Lake Board of Directors by the property owner, within fifteen (15) days of the denial.



## **SECTION 200: CONSTRUCTION SPECIFICATIONS**

### **208 - ROOF PITCH**

All houses and garages must have a minimum of a 4/12 roof pitch unless specifically approved by the Environmental Control Committee.

### **216 - OVERHANGS**

House or garage roofs with a 6/12 pitch or less shall have a twenty-four (24) inch overhang. On an individual basis, the Committee will consider a lesser overhang for roofs with a greater than 6/12 pitch. Exception: On the gable end the minimum overhang shall be twelve (12) inches.

### **221 – BACKFILLING MATERIALS**

All back filling and all grading of any lot shall be done with clean earth only. Under no circumstances will blacktop, concrete, brick bats, stone, rock, waste, and/other non-earth or non-compactable products be allowed.

### **224 - MAXIMUM HEIGHT**

No house shall exceed thirty-five (35) feet in height measured from ground level on the street side elevation.

### **228 - ON SITE SOIL INVESTIGATIONS**

When a lot is in question as to whether or not it is in a wet area, the Environmental Control Committee may require that a site soil investigation be conducted. Soil borings are conducted to evaluate conditions suitable for the placement of a basement and/or crawl space.

Properties evaluated shall include:

- 1.) Indicators of seasonal, perched, and shallow water tables.
- 2.) Hand texturing to determine percent of sand, silt, and clay present in the various horizons.
- 3.) Structure of soil for each horizon.
- 4.) Landscape position.
- 5.) Approximate slope of parcel.
- 6.) Other factors depending on circumstances present.

### **230 - DRAINAGE**

Houses are approved with the understanding that the property is subject to drainage in its entirety and that it is the property owner's sole responsibility to ensure compliance with all state and local drainage regulations through proper engineering.

### **235 - PORCH WITH ROOF**

All porches that have a roof shall have standard footings a minimum of forty-two (42) inches deep or engineered footing pads and tube type concrete piers.

### **236 - FOUNDATION ELEVATIONS AND BACKFILLING**

- 1.) The maximum side yard slope may not exceed a two (2) foot vertical slope within a ten (10) foot horizontal distance.
- 2.) The Building Inspector will have final approval of all elevations and has the authority to change the elevation up to one (1) foot.
- 3.) A maximum of one (1) foot of foundation may be exposed.

- 4.) The height of foundations and/or lower-level floors shall be a minimum of sea level elevation of nine hundred (900) feet. This is four (4) feet above the normal pool lake level of eight hundred ninety-six (896) feet.

Exception: Where the building site elevation is below nine hundred (900) feet, the height of foundation and/or lower-level house floors shall be determined by ECC on an individual basis.

### **237 - CHANGES TO TOP OF FOUNDATION**

In the event that a problem arises during excavation, any proposed change to the top of foundation elevation from the approved survey must be done in consultation with the Candlewick Lake Building Inspector. No changes are to be made without written approval from the Candlewick Lake Building Inspector.

### **238 - FOOTINGS/FOUNDATION WALLS**

The foundation wall for a wood frame house shall be eight (8) inches wide with a minimum of a sixteen (16) inch wide footing, depending on soil conditions. When brick is used on a house, the foundation wall shall be ten (10) inches wide with a minimum of a twenty (20) inch wide footing, depending on soil conditions. The footing and foundation wall width must be shown on all prints. The use of steel angle plates to support a brick wall shall be prohibited.

### **240 - HOUSE NUMBERS**

Legible house numbers must be a minimum of four (4) inches high and shall be affixed to each house in a conspicuous location. Three (3) inch numbers installed prior to October 3, 2006 shall be grandfathered. The address must also be displayed on the lake side of all lake front homes so that it is visible from the lake. In addition, block style house numbers at least two (2) inches high shall be attached to all mailboxes

### **248 - INSULATION**

House insulation shall meet or exceed the following minimum requirements:

- 1.) Exterior walls - R19
- 2.) Attic spaces - R38

### **252 - STRUCTURAL HEADERS**

To give proper structural support to roofs, double headers, laminated veneer lumber or equivalent must be installed over all exterior doors and windows.

### **256 - STRUCTURAL FLOORS**

All structural floors must be a minimum of 3/4" thick tongue and groove plywood or orient strand board.

### **257 – BASEMENT EGRESS WINDOWS/DOORS**

All houses that have basements shall have, as a second means of escape, an egress window with a minimum net clear opening of 5.7 square feet, approved for emergency egress or rescue, or an exterior door, minimum size 6'8" x 3'0".

### **259 - EXTERIOR DOORS**

All houses must have two egress doors from the living area. One door shall be a minimum of 3'0" x 6'8" and must be a hinged, swinging door. The second door must be a minimum of 2'6" x 6'8" and may be a hinged, sliding patio, French, or any other type of arrangement. All exterior doors shall be readily operable from the inside of the house.

If any door exits more than two (2) feet above finished exterior grade, a platform, no more than six (6) inches lower than the doorsill, with railings, shall be constructed. The platform shall be a minimum of one (1) foot wider than a swinging door opening, or a minimum of one (1) foot wider than all adjacent panels of sliding patio, French, or any other type door arrangements. The platform shall extend out a minimum of four (4) feet from the house. A stairway with railings shall be constructed from egress required door platforms down to the finished exterior grade.

If any door exits below finished exterior grade, a concrete areaway, minimum dimensions of three (3) foot six (6) inches by three (3) foot six (6) inches with a floor drain and retaining walls shall be constructed with a stairway and railing up to the finished exterior grade.

## **262 - SEEDING/SODDING**

All yards shall be seeded or sodded in accordance with the following schedule when the Boone County Certificate of Occupancy is issued:

Within sixty (60) days when the Certificate of Occupancy is issued between May 1 – September 1.

Within sixty (60) days after the road postings are lifted when the Certificate of Occupancy is issued between September 2 – April 30.

## **266 - EROSION CONTROL**

Any required control devices must be installed prior to commencing the excavation process. The type and location of erosion control shall be as follows:

**1.) Non-Lake Front Lots:**

- a.)** The entire perimeter of the lot, with the exception of the driveway area, shall be enclosed with silt fence. The silt fence shall be installed in a trench at least six inches (6”) deep. Support stakes shall be placed no more than 8 feet (8’) apart. Earth shall be back filled around the silt fence up to the surrounding existing grade.
- b.)** Sediment logs shall be placed at the low end of the ditch.

**2.) Lake Front Lots:**

- a.)** The same as for non-lakefront lots, except in lieu of silt fencing on the lakeside of the lot, continuous sediment logs shall be staked in place along the entire lakeside of the lot and continue up 5’ on the side lot lines.

**3.)** At the time of house approval, the Candlewick Lake Building Inspector, may, due to the contour of the building site, vary these regulations. Any variances granted will be marked on the survey and initialed by the Candlewick Lake Building Inspector.

**4.)** Failure to install the mandated erosion control devices shall result in a fine and a stop work order. The stop work order shall be rescinded when the erosion control devices are installed and the fine is paid. The erosion control devices shall be maintained during the entire construction period and shall only be removed after the grass has sprouted or sod placed, and permission is granted by the Candlewick Lake Association Building Inspector.

## **272 - CRAWL SPACES**

All crawl spaces shall have a minimum of a two (2) inch thick concrete slurry coat.

## **280 - CULVERTS**

- 1.)** Culverts and culvert extensions must be approved by the Environmental Control Committee and the need, location, diameter, length and placement depth will be determined on an individual basis. A Candlewick Lake Building Permit must be issued. A permit is not required for culvert extensions.
- 2.)** An application, survey and plans showing dimension and location of construction must be submitted to the Candlewick Lake Building Department at least seven (7) working days prior to the schedule Environmental Control Committee meeting.
- 3.)** The property owner is responsible for calling the Candlewick Lake Building Department for inspection before top stone is applied. Twenty-four (24) hour notice is required.
- 4.)** Culverts exceeding twenty-four (24) feet must have a clean out in the middle area. A clean out area must be made of concrete or other long-lasting material with a length of at least two (2) feet by

eighteen (18) inches wide and covered with a steel grate.

- 5.) Standard sloped culvert pipe extensions, coupled to the existing culvert pipe and of the same material, may be approved. The slope of culvert extensions must be at the same slope as the existing culvert.
- 6.) Culverts may be of galvanized culvert pipe or reinforced concrete only.
- 7.) The need for a gravel base will be at the discretion of the Building Inspector. Culverts must be covered with a base of CA-6 road stone made of limestone products.
- 8.) Culverts must be a minimum of three (3) feet from side yard lot line.

## **284 - DRIVEWAYS**

See Section 520 for complete driveway specifications.

## **288 - DRAIN TILE**

Exterior perforated four (4) inch drain tile is required.

## **SECTION 300: HOUSE APPROVAL AND CONSTRUCTION PROCEDURE**

### **312 - PROPOSED HOUSE TO BE STAKED OUT ON LOT**

The proposed house must be staked on the lot by a surveyor before plans are submitted for approval.

### **316 - PROOF OF OWNERSHIP**

No house plans shall be submitted to the Environmental Control Committee for approval until the applicant can provide proof of ownership of the lot.

### **320 - TO OBTAIN AN ENVIRONMENTAL CONTROL COMMITTEE MEETING APPOINTMENT**

To obtain an Environmental Control Committee meeting appointment, the following requirements must be met. The required documents and fees must be submitted at least seven (7) working days prior to the scheduled Environmental Control Committee meeting.

- 1.) An appointment must be made for a house approval through the Candlewick Lake Building Department, at least seven (7) working days prior to the scheduled Environmental Control Committee meeting.
- 2.) Application fee must be paid according to the fee schedule approved by the Board of Directors.
- 3.) Three (3) complete sets of house plans must be delivered to the Building Department Office. Computer generated drawings shall be to a minimum of 1/8" scale. For non-computer generated drawings the floor, foundation and wall section shall be a minimum of 1/4" scale. Other detail drawings may be to a smaller scale but no smaller than 1/8" scale. All drawings and surveys shall be uniformly drafted and not have any marked up changes at the time of submission. Only minor changes and/or additions agreed upon by the Environmental Control Committee may be marked and initialed by the builder or owner at the time of examination for approval.

The drawings shall include, but not be limited to:

- a.) The foundation plan shall include:
  - 1.) Width and height of footing.
  - 2.) Width and height of walls.
  - 3.) Where applicable, the location and height variation of wall stepping.

- b.) The exterior wall cross-section plan shall include:
    - 1.) Description and dimensions of all wall components.
    - 2.) “R” insulation value of all wall components.
  - c.) Elevation and existing grade from lot line to house.
  - d.) Deck/patio, if being built as part of the house.
  - e.) Drawing showing distance of siding to ground.
- 4.) Three (3) sets of surveys must be submitted to the Building Department Office. All surveying must be done by a certified surveyor.
- a.) Scaled surveys showing lot and foundation dimensions.
  - b.) All elevations must correspond to sea level grades.
  - c.) All four corner lot pins must be located and marked with painted stakes.
  - d.) The house corners must be marked on the lot with painted stakes.
  - e.) Surveys to show existing elevation of all lot and house corners.
  - f.) Surveys shall show elevation of top of foundation and any stepping of foundation or wing walls.
  - g.) Surveys shall show the top of the foundation of the closest house to the right and left.
  - h.) Ditch elevations must be marked on the survey at both ends of the culvert and at both lot lines. Elevations must be marked at twenty (20) foot intervals along the ditch line. The invert elevation and diameter of the existing closest culverts to the right and to the left of the proposed culvert shall be required on the survey.
  - i.) See Section 160, Paragraph 4b REAR YARD-LAKE FRONT PROPERTY for additional requirements.
- 5.) List of materials to be used in the construction.
- 6.) Sub-contractor list.
- 7.) Lawn Seeding Agreement.
- 8.) Drainage Agreement.
- 9.) Home Completion Agreement.
- 10.) Application.
- 11.) Construction Inspection Procedure.
- 12.) Representative Waiver - The property owner’s presence at the Environmental Control Committee meeting is encouraged. If someone other than the property owner attends the meeting, a Representative Waiver must be submitted. If the property owner or representative is not in attendance, the Environmental Control Committee will review the submitted documents. Any significant changes, questions or concerns that need to be addressed may result in postponing the construction approval to the next available meeting.
- 13.) Tree Removal Application – Approval must be granted to remove any tree over three (3) inches in diameter. Public Safety must be notified at least twenty-four (24) hours in advance when removal of tree(s) will impact roadway access.

- 14.) Type of heating must be noted in the application.
  - a.) If propane gas is used, mark the location of the tank and its dimensions to the house and lot line on the surveys.

### **324 - WHAT IS REQUIRED AFTER THE HOUSE PLANS HAVE BEEN APPROVED**

- 1.) A Boone County Building Permit must be issued and presented to the Candlewick Lake Building Department before a Candlewick Lake Building Permit is issued.
- 2.) The Candlewick Lake Building Permit must be issued before any work may commence. A stop work order and citation will be issued if excavation begins before both a Boone County and a Candlewick Lake Building Permit are issued. The stop work order will be lifted when the issue is resolved.
- 3.) All dues, fines, and other fees owed by an Association member on any property must be paid in full before a Building Permit is issued for any of his properties.
- 4.) The Candlewick Lake Building Permit is valid for eight (8) months. See Section 136 for permit renewal information. At the time the permit is issued, the following fees must be paid.
  - a.) The Building Permit Fee and the Inspection Fee specified in the Fee Schedule approved by the Board of Directors.
  - b.) A non-refundable construction fee.
  - c.) A refundable construction deposit. See Section 420 for information on obtaining a refund of the construction deposit.

### **328 - WHAT MUST BE DONE DURING CONSTRUCTION**

- 1.) The Boone County and the Candlewick Lake Permits must be visible during the entire construction process.
- 2.) Lot pins must be clearly marked and displayed during construction.
- 3.) An application and hook up fees must be submitted to the water and sewer supplier to bring the service from the water main to the lot line.
- 4.) It is the property owner's responsibility to notify the utility companies of construction plans.
- 5.) The following inspections must be done:
  - a.) Culvert Inspection. Culverts must be installed prior to excavation. Culverts must be inspected by the Candlewick Lake Building Inspector prior to covering with a base of a minimum of #8 road stone, made of limestone products.
  - b.) Footing Inspection. The Candlewick Lake Building Inspector must be notified twenty-four (24) hours in advance for an inspection to approve the location and elevation of the forms prior to the pouring of concrete. A stop work order and citation will be issued if footings are poured prior to an inspection and will be lifted after the Candlewick Lake Building Inspector approves the location and elevation. The Boone County Building Inspector must inspect the size and location of the forms and the soil conditions.
  - c.) Backfill Inspection. The Boone County Building Inspector must be notified to inspect the foundation damp proofing and drain tile before the foundation may be backfilled.
  - d.) Electrical Inspection. If temporary utility electricity is going to be used, the Boone County Electrical Inspector must be notified to inspect the electrical installation before it is turned on.
  - e.) Plumbing Inspection. Before a concrete floor is poured in the basement or crawl space, the

Boone County Plumbing Inspector must approve the under floor plumbing installation.

### **332 - AT THE COMPLETION OF ROUGH IN**

The following inspectors must be notified when the rough in is completed for an inspection and approval.

- 1.) The Boone County Electrical Inspector.
- 2.) The Boone County Plumbing Inspector.
- 3.) The Boone County Building Inspector, after the electric and plumbing have been approved.
- 4.) The Boone County Building Inspector for insulation inspection, prior to the installation of drywall.

### **336 - AT COMPLETION OF CONSTRUCTION**

The following inspectors must be notified for a final inspection and approval.

- 1.) The Boone County Electrical Inspector.
- 2.) The Boone County Plumbing Inspector.
- 3.) The Boone County Building Inspector, after the final electric and plumbing has been approved, to issue a Certificate of Occupancy.
- 4.) After the Boone County Certificate of Occupancy has been issued, a copy must be submitted to the Candlewick Lake Building Department.

## **SECTION 400: CONTRACTOR INFORMATION**

### **420 - REFUNDABLE CONSTRUCTION DEPOSIT AND TIME LIMITS**

- 1.) Procedure for obtaining a Construction Deposit Refund:
  - a.) A copy of the Boone County Certificate of Occupancy must be submitted to the Candlewick Lake Building Department.
  - b.) Property shall be inspected by the Candlewick Lake Building Inspector for the following:
    - 1.) Excessive building material has been removed.
    - 2.) Miscellaneous debris, including tree limbs and stumps must be removed from the property and adjoining properties.
    - 3.) All damage to adjoining properties including vehicle tire ruts must be repaired.
    - 4.) Side yards must meet the 2' in 10' slope or less.
    - 5.) Drainage problems between lots are resolved via swales.
    - 6.) Final and finish grade has been completed.
    - 7.) Lawn is seeded with grass established or sodded.
    - 8.) All signs have been removed.
    - 9.) Exterior of structure has been completed.
    - 10.) Driveway is completed.
    - 11.) Dumpster has been removed.

- 12.) Street Address numbers legibly posted on house.
- 13.) Road and shoulder areas are clear of mud, rock and other debris.
- 14.) Ditch area has been restored and seeded with grass established or sodded.
- 15.) Common areas around property are cleared of debris, including brush and tree limbs.
- 16.) Culvert is properly installed.
- c.) Any outstanding balance due including, but not limited to, repairs, citations, dues, and late fees, on the lot for which the refund has been requested must be paid in full.
- d.) When all inspections have been completed and all conditions have been found satisfactory the request for refund will be finalized by the following means:
  - 1.) If there is no outstanding balance on the lot for which the refund has been requested, a check for the full amount of the refund deposit will be processed.
  - 2.) If there is an outstanding balance due on the lot for which the refund has been requested, this amount will be deducted from the original amount of the deposit and a check will be processed for the remainder.
  - 3.) If the outstanding balance due on the lot for which the refund has been requested is greater than the amount of the deposit, the amount of the deposit will be deducted from the amount due and the property owner/contractor will be billed for the balance.
- e.) Time Limits:
  - 1.) After the time limits have expired and all items in Paragraph 1b are not completed, then Candlewick Lake has the authority to use any or all of the construction deposit to make necessary corrections, including related administrative expenses.

#### **424 - DAMAGE TO PROPERTY**

Any damage to other property owner's lots or to Candlewick Lake property, which is a result of the construction project, will result in a citation(s). The owner and/or builder will be notified of the damage and will be responsible for all damage or injury due to his act of negligence and will be responsible for all repairs.

#### **428 - STOP WORK ORDERS**

A stop work order, along with the appropriate citation(s) will be issued when there are violations to the Building Rules and Regulations of Candlewick Lake. The stop work order will be lifted when the issue is resolved.

#### **432 - GENERAL CONTRACTOR SIGNS**

General Contractor signs may not be posted until the Candlewick Lake Building Permit is issued and must be removed when the Candlewick Lake Building Permit expires. Refer to Section 700 for sign requirements.

#### **436 - TRUCKS & EQUIPMENT**

- 1.) Large trucks and/or contractor's equipment may be allowed to enter and/or exit at other locations when twenty-four (24) hour advance notice is given to Public Safety. Only approved vehicle(s) will be allowed to enter and/or exit at other locations.
- 2.) No more than three (3) vehicles may be parked overnight on a lot where a Candlewick Lake Building Permit has been issued and are limited to five (5) days or in specific areas approved by the General Manager.



#### **440 - DUMPSTERS**

A metal dumpster is required when framing begins and shall receive all waste materials and debris during construction. The contractor shall be responsible for keeping the premises free from accumulation of waste materials and debris.

Exception: When the contractor chooses to use all factory built floor and wall panel type construction, the waste materials and debris may be stored in the garage until the roof trusses are hoisted, provided that the following are adhered to.

- 1.) At the end of each working day the large garage doorway be solidly barricaded a minimum of four (4) feet high.
- 2.) Any other exterior garage doors shall also be solidly barricaded.
- 3.) Within forty-eight (48) hours after the roof trusses have been hoisted a metal dumpster must be placed on the building site and all waste materials and debris moved from the garage to the dumpster.

#### **444 - BURNING**

No burning is allowed. All debris must be disposed of in approved dumpsters.

#### **448 - NEW MATERIALS**

Any type of construction on any lot shall be built with a substantial quantity of new material. No used structures shall be relocated or placed on any lot.

#### **456 - SPRINGTIME ROAD POSTINGS**

Candlewick Lake will post road weight limits as deemed appropriate by the General Manager. The length of time the postings will be in effect will depend on weather conditions as well as conditions of the roadways. Contractors will be notified by telephone or fax and notices will be posted at the East and West gates and on the web site.

#### **460 - CONSTRUCTION HOURS**

Monday through Saturday - 7:00 am through 7:00 pm  
Sunday - 9:00 am through 5:00 pm

#### **472 - VIOLATIONS**

A contractor violation shall be defined as a violation of the rules committed by a property owner or contractor that is related to construction activity. Fines will escalate with each repeated violation of the same rule.

### **SECTION 500: MISCELLANEOUS CONSTRUCTION**

#### **504 - BOATHOUSES / BOATLIFTS**

- 1.) Boathouses are not allowed.
- 2.) Permanent boat lifts are not allowed.
- 3.) Boatlifts must be approved by the Environmental Control Committee. A Candlewick Lake Building Permit is not required.
- 4.) An application, survey and plans showing dimensions and location of construction must be submitted to the Candlewick Lake Building Department at least seven (7) working days prior to the scheduled Environmental Control Committee meeting.
- 5.) The property owner is responsible for contacting the Candlewick Lake Building Department for inspection when completed.
- 6.) All boat lifts must be removed each year by December 1st or prior to ice forming. Previously

approved permanent boat lifts will be grandfathered.

- 7.) Boatlifts may extend a maximum of fifteen (15) feet in the 896' water level, except for the three fingers on the north end of the lake. In those cases, approval of boatlifts will be on an individual lot basis by the Environmental Control Committee.
- 8.) All boat lifts shall not be placed closer than ten feet (10') to the extended side lot lines. A variance to this 10-foot (10') setback rule may be requested under Section 176 of the ECC Rulebook. Boat lifts which were previously approved by the ECC but are not in compliance with this rule are previous non-conforming uses commonly called "grandfathered" and therefore exempted from this rule.

## **510 - DRAINAGE DITCH AREA**

The drainage ditch area is defined as the portion of the road right of way between the paved road and the lot line.

- 1.) Neither the profile nor elevation of the drainage ditch may be changed without the approval of the Environmental Control Committee. A Candlewick Lake Building Permit is not required. Failure to obtain approval will result in a fine and order to remove any work started or completed.
- 2.) An application, survey and plans showing proposed construction or plantings must be submitted to the Candlewick Lake Building Department at least seven (7) working days prior to the scheduled Environmental Control Committee meeting.
- 3.) The property owner is responsible for contacting the Candlewick Lake Building Department for inspection when completed.
- 4.) This entire area must be fully maintained in accordance with the requirements of the CC & R's, Section III, Paragraph L and with established engineering specifications.
- 5.) Nothing that will, in any way, impede the flow of water in the ditch or culvert will be allowed.
- 6.) Decorative structures and/or plantings may be allowed only over the culvert upon approval.
- 7.) Upon approval, the following may be allowed on the lot owner's side of the ditch only, (away from the street), above the elevation of the top of the culvert, and extending parallel with the contour of the yard, beyond the culvert.
  - a.) Flowers and/or shrubs maintained not over two (2) feet in height. No trees are allowed in front of the owner's property line.
  - b.) Rocks, bricks, stone or similar material, with support system, and not extending one (1) foot above finished grade and one (1) foot wide.
  - c.) Treated wood timbers anchored with "dead men" and not extending more than one (1) foot above finished grade and more than one (1) foot wide.
  - d.) On an individual basis, a variance may be considered and allowed for additional configurations.
- 8.) Property owners participating in the bio-swale project and plant the allowable native, deep rooted plants will be permitted to plant them in the bottom of the ditch and may let them grow to a height not to exceed 5'.

## **512 - DECKS**

- 1.) Decks must be approved by the Environmental Control Committee. A Candlewick Lake and Boone County Building Permit must be issued.
- 2.) An application, survey and plans showing dimensions and location of construction must be submitted to the Candlewick Lake Building Department at least seven (7) working days prior to the scheduled Environmental Control Committee meeting.

- 3.) The property owner is responsible for contacting the Candlewick Lake Building Department for inspection when completed.
- 4.) The plans must include the following information.
  - a.) A detailed drawing showing the dimensions of the deck in feet, railing height, baluster spacing and height off the ground level.
  - b.) Complete materials list.
- 5.) Post holes must be a minimum of forty-two (42) inches deep.
- 6.) Ledger board should be lag screwed into the rim joist.
- 7.) Non-corrosive nails or screws must be used.
- 8.) Railings must be a minimum of thirty-six (36) inches high if the deck is over eighteen (18) inches from ground level.
- 9.) The maximum spacing between spindles (balusters) is four (4) inches.

#### **516 - DOG RUNS**

- 1.) Dog runs must be approved by the Environmental Control Committee. A Candlewick Lake and Boone County Building Permit must be issued.
- 2.) An application, survey and plans showing dimensions and location of construction must be submitted to the Candlewick Lake Building Department at least seven (7) working days prior to the scheduled Environmental Control Committee meeting.
- 3.) The property owner is responsible for contacting the Candlewick Lake Building Department for inspection when completed.
- 4.) Dog runs may be a maximum of six (6) feet wide by eighteen (18) feet long. The longest dimension must abut to the home or garage.
- 5.) Dog runs may be constructed a maximum of four (4) feet into the side setback line.
- 6.) Only chain link, metal grid, wire fence panels, wrought iron or other material approved by the ECC are allowed.
- 7.) Dog runs must be securely anchored into the ground.

#### **520 - DRIVEWAYS**

- 1.) Driveways, driveway extensions and parking areas must be approved by the Environmental Control Committee. A Candlewick Lake Building Permit must be issued.
- 2.) An application, survey and plans showing the dimensions, depth of grade and materials being used must be submitted to the Candlewick Lake Building Department at least seven (7) working days prior to scheduled Environmental Control Committee meeting.
- 3.) The property owner is responsible for contacting the Candlewick Lake Building Department for inspection of driveway layout prior to paving. Twenty-four (24) hour notice is required.
- 4.) All driveways must be paved to edge of roadway. Pavement over ditch area (between lot line and edge of roadway) shall not exceed twenty-four (24) feet in width. Within the property owner's lot it may exceed twenty-four (24) feet in width.
- 5.) Pavement between the lot line and edge of roadway must be a minimum of three (3) feet from side yard lot line.

- 6.) The driveway must follow the grade of the paved roadway for the first three (3) feet. Between that point and the garage floor, the slope of the driveway may not exceed a 13% rise.
- 7.) Driveways, driveway extensions and parking areas must be paved with concrete, asphalt or paving bricks.
- 8.) Driveways must be paved within eighteen (18) months of the issuance date of the Building Permit for new home construction. Replacement driveways, driveway extensions and parking areas must be paved within six (6) months of the issuance of the Building Permit.

## **522 – EXTERIOR LIGHTING**

- 1.) Bright, harsh exterior lighting is not in keeping with the concept of the Candlewick Lake and can be offensive to neighboring properties. Therefore, commercial or industrial or farm type luminaries using high intensity discharge lamps, such as but not limited to high or low pressure sodium, metal halide, or mercury lamps are not allowed.
- 2.) Residential type luminaries using low intensity lamps, such as but not limited to incandescent, quartz, and non-linear florescent must be directed downward so that the major splay of light is contained within the property lines.
- 3.) Post lights shall not exceed seven feet (7') in height, and a residential type lamp source shall be diffused or of sufficiently low wattage to reduce glare.
- 4.) No single splay of light shall exceed 2,400 lumens (150 watt incandescent).
- 5.) All exterior lighting such as, but not limited to event, seasonal, temporary, festoon, all lighting devices, sound devices, or wiring that is not part of the standard permanently affixed residential electrical wiring system shall be allowed to remain in place a maximum of thirty (30) days before and ten (10) days following the event. Due to the weather, December seasonal lights will be allowed to be put up no earlier than November 10<sup>th</sup> but may not be lit until November 20<sup>th</sup>. The removal of December/January 1st seasonal lights must be by February 15<sup>th</sup>. The lights may not be lit beyond ten (10) days after the event. An extension may be granted when there are extenuating circumstances.
- 6.) A warning notice shall be issued to violators of these rules, except holiday lighting, allowing 30 days to comply. Thereafter the property owner will be issued a citation.

## **523 - EXTERIOR DECORATIONS**

Exterior seasonal decorations shall be allowed to remain in place a maximum of thirty (30) days before and ten (10) days following the event. Due to the weather, December seasonal decorations will be allowed to be put up no earlier than November 10<sup>th</sup>. In the case of decorations that are illuminated, they may not be lit until November 20<sup>th</sup>. The removal of December/January 1st event decorations must be by February 15<sup>th</sup>. The decorations may not be lit beyond ten (10) days after the event. An extension may be granted when there are extenuating circumstances.

## **524 - EXTERIOR REMODELING**

- 1.) Exterior remodeling must be approved by the Environmental Control Committee. A Candlewick Lake and a Boone County Building Permit must be issued. A refundable construction deposit must be posted at the time the Building Permit is issued.
- 2.) An application, survey and plans, including material list, showing the dimensions and location of construction must be submitted to the Candlewick Lake Building Department at least seven (7) working days prior to the scheduled Environmental Control Committee meeting.
- 3.) The property owner is responsible for contacting the Candlewick Lake Building Department for inspection when completed.
- 4.) If the remodeling includes any of the following, plans and documents as required in Section 320 shall be submitted for approval.
  - a.) Changes to any windows, doors or exterior of the house.

- b.) Additions of any type to the exterior.
- 5.) Color chips or samples of all exterior surfaces to be recoated or resurfaced must be submitted for approval by the Building Inspector. The exception to the rule would be if an unusual color change request was submitted, it would require the approval of the Environmental Control Committee. A property owner may appeal any denial by the Building Inspector for a color change to the Environmental Control Committee.

#### **526 - METAL OR GLASS SUN ROOMS OR ANY THREE/FOUR SEASON ROOM ADDITIONS**

The requirements of Sections 160 and 524 also apply to Section 526.

- 1.) Approval shall be on an individual basis by the Environmental Control Committee.
- 2.) Drawings in triplicate must be submitted showing:
  - a.) Wall and roof sections.
  - b.) Roof pitch and weight load capacity.
  - c.) Window and door locations and sizes.
  - d.) Foundation and floor construction.

#### **527 - GARDEN FENCES**

- 1.) Only metal fence posts may be used. No plastic or wood posts or wood of any type is allowed.
- 2.) The only allowable fencing is metal welded wire fence or metal chicken wire fence. Chain link fence is prohibited.
- 3.) The maximum allowable area a garden may be fenced in is 350 square feet and may not exceed 3' in height.
- 4.) A top on the fence or cage configuration is prohibited.
- 5.) Garden fences are prohibited in the front yard (street side of the property).
- 6.) Garden fences must be 10' away from the side lot lines and 5' away from the rear lot line and may not be on the common ground. For lake front property a garden fence may be no closer than 35' to the lake.
- 7.) Trimming is required around the fence.
- 8.) If a garden fence is installed and a garden is not planted the following year the fencing must be removed and the area restored with grass.
- 9.) Existing garden fences will be grandfathered but if a garden is not planted the following year the fence must be removed.

#### **528 - FENCING**

Fences are not allowed in Candlewick Lake, except upon application and approval according to the C C & R's, Section II, Paragraph C: Fences. In order to preserve the natural quality and aesthetic appearance of the existing geographic areas within the Development, all property lines shall be kept free and open one to another and no fences shall be permitted on any lot or lot lines except where, in the opinion of the Environmental Control Committee, a fence or other enclosure, as a structure of aesthetic feature of a design concept, will contribute to and be in keeping with the character of the area. In such cases, the Committee shall determine the size, location, height and composition of the fence or other enclosure.

## **529 – WIRE (UNDERGROUND) / WIRELESS DOG FENCES**

- 1.) Underground dog fences must be approved by the Environmental Control Committee. A Candlewick Lake Building Permit is not required.
- 2.) An application, survey and plans showing dimensions and location of construction must be submitted to the Candlewick Lake Building Department at least seven (7) working days prior to the scheduled Environmental Control Committee meeting.
- 3.) The property owner is responsible for contacting the Candlewick Lake Building Department for inspection when completed.
- 4.) The survey or lot drawing must be marked to show the distance the underground dog fence will be from the side, front and rear lot line.
- 5.) All lot pins must be located before an underground dog fence may be installed.
- 6.) The underground dog fence may not be placed in any Candlewick Lake common ground or ditch.
- 7.) Prior to any digging, JULIE (Joint Utility Locating Information for Excavators) must be called at 1-800-892-0123.
- 8.) A clearly visible sign must be posted when an invisible underground fence is in place.
- 9.) Wireless Dog Fences: A clearly visible sign must be posted when a wireless dog fence is in use. The containment area may not extend outside the property lines. A form must be completed by the property owner, to be placed in their file in the Candlewick Lake office before a wireless dog fence is used along with a survey or lot drawing, marked to show the distance the containment area will be from the side, front and rear lot line.

## **530 - DECORATIVE LOT CORNER MARKERS**

- 1.) Decorative corner markers must be approved by the Environmental Control Committee. A Candlewick Lake Building Permit is not required.
- 2.) An application, survey and plans showing dimensions and location of construction must be submitted to the Candlewick Lake Building Department at least seven (7) working days prior to the scheduled Environmental Control Committee meeting.
- 3.) The property owner is responsible for contacting the Candlewick Lake Building Department for inspection when completed.
- 4.) Plans must include the following.
  - a.) The size and shape of the decorative marker.
    - 1.) Individual sections that parallel the side or front or back lot line (requiring two posts) or sections that parallel the side and front or back lot lines, forming an “L” shape (requiring three posts) shall not exceed thirty six (36) inches in height and seven (7) feet in length in each direction.
    - 2.) Sections that parallel the side and front or back lot lines, forming an “L” shape or individual sections that parallel the side or front or back lot line, constructed of split rail wood, attached to a single post shall not exceed forty eight (48) inches in height and the top rail, angled toward the ground shall not exceed eight (8) feet in length in each direction.
  - b.) Material type, including color.
- 5.) Prior to any digging, JULIE (Joint Utility Locating Information for Excavators) must be called at 1-800-892-0123.

## **532 - GARAGES**

- 1.) Garages must be approved by the Environmental Control Committee. A Candlewick Lake and Boone County Building Permit must be issued if a second garage or garage addition is constructed.
- 2.) An application, survey and plans, including material list, showing the dimensions and location of construction must be submitted to the Candlewick Lake Building Department at least seven (7) working days prior to the scheduled Environmental Control Committee meeting.
- 3.) The property owner is responsible for contacting the Candlewick Lake Building Department for inspection when completed.
- 4.) Garages must be within the buildable area.
- 5.) A garage is not allowed on a vacant lot.
- 6.) All garages must be two (2) car, four hundred (400) square feet minimum. All three (3) car garages must be a minimum of six hundred (600) square feet. Each vehicle space shall be a minimum of twenty (20) feet in length on the inside between the closed garage door and wall. Exception. The exterior length of a free standing garage shall be a minimum of twenty (20) feet. A detached garage may not exceed 800 square feet.
- 7.) Garages must have a minimum 4/12 roof pitch unless specifically varied by the Environmental Control Committee.
- 8.) Garage roofs with a 6/12 pitch or less shall have a twenty-four (24) inch overhang. On an individual basis, the Committee will consider a lesser overhang for roofs with a greater than 6/12 pitch. Exception: On the gable end the minimum overhang shall be twelve (12) inches.
- 9.) Garage colors, style and roof shingles must blend with that of the existing house. No metal garages are allowed.
- 10.) Maximum garage door height allowed is ten (10 ) feet.

## **536 - GAZEBOS**

- 1.) Gazebos must be approved by the Environmental Control Committee. A Candlewick Lake and Boone County Building Permit must be issued.
- 2.) An application, survey and plans, including material list, showing dimensions and location of construction must be submitted to the Candlewick Lake Building Department at least seven (7) working days prior to the scheduled Environmental Control Committee meeting.
- 3.) The property owner is responsible for contacting the Candlewick Lake Building Department for inspection when completed.
- 4.) Concrete slabs for gazebos are not allowed.
- 5.) Approval of gazebos for height, square footage and location shall be on an individual basis by the Environmental Control Committee.

## **540 - LP TANKS**

- 1.) LP Tanks must be approved by the Environmental Control Committee. A Candlewick Lake Building Permit must be issued unless the LP tank is approved and installed at the time of house construction.
- 2.) An application, survey and plans, including material list for enclosure, showing dimensions and location of construction must be submitted to the Candlewick Lake Building Department at least seven (7) working days prior to the scheduled Environmental Control Committee meeting.
- 3.) The property owner is responsible for contacting the Candlewick Lake Building Department for inspection when completed.

- 4.) Placement of 500 gallon LP tanks:
  - a.) Non lake property: LP tanks may only be placed in the rear yard.
  - b.) Lakefront property: When LP tanks are placed in the front yard, they shall be a minimum of fifteen (15) from the front lot line.
  - c.) All property: LP tanks shall be a minimum of ten (10) feet from the side lot line and must be at least ten (10) feet from any structure. The ends of an LP tank must not point towards any structure. Consideration will be given that approximately one hundred (100) feet of hose is available on most refueling trucks when approving placement of tank.
- 5.) LP tanks must be enclosed.
  - a.) LP tanks must be enclosed within six (6) months from the issuance of the building permit.
  - b.) Enclosures shall be made from siding, lattice or picket fencing or shrubbery a minimum of four (4) feet in height.
  - c.) The maximum size of the enclosure shall be one (1) foot wider than each side of the tank and sixteen (16) feet long.
  - d.) For LP tank maintenance, plans must show means of access to the enclosure.
- 6.) To reduce fire hazard a rock or sand bed under the tank and fence is recommended.
- 7.) Any LP tank and its enclosure must be removed in their entirety when it is no longer being used.

#### **548 - PIERS/DOCKS**

Definitions: PIER: A pier is a temporary removable platform that extends from the shore or dock, over water. DOCK: A dock is a permanent structure, over land.

- 1.) Piers and docks must be approved by the Environmental Control Committee. A Candlewick Lake and Boone County Building Permit must be issued for docks. A Candlewick Lake Building Permit must be issued for piers.
- 2.) An application, survey and plans, including material list, showing dimensions and location of construction must be submitted to the Candlewick Lake Building Department at least seven (7) working days prior to the scheduled Environmental Control Committee meeting.
- 3.) The property owner is responsible for contacting the Candlewick Lake Building Department for inspection when completed.
- 4.) Docks may extend a maximum of two (2) feet into the normal 896' water level. Piers may extend a maximum of fifteen (15) feet into the normal 896' lake level, except for the three fingers on the north end of the lake. In those cases, approval of piers will be on an individual basis by the Environmental Control Committee. Refer to the CC & R's, Section IV, Paragraph K. Combination of piers and docks may extend a maximum of (15) feet into the 896' water level.
- 5.) The following specifications shall apply to piers and docks.
  - a.) The portion of "T" or "L" shaped piers that parallel the lake shoreline shall not exceed twenty feet (20') in length and shall not extend closer than ten feet (10') to the extended lot lines.
  - b.) No pier may be closer than ten feet (10') to the extended lot lines. A variance to this 10-foot (10') setback rule may be requested under Section 176 of the ECC Rulebook. Piers which were previously approved by the ECC but are not in compliance with this rule are previous non-conforming uses commonly called "grandfathered" and therefore exempted from this rule.



- c.) No sunshades, including but not limited to awnings, covers, canopies, etc. are allowed on piers
  - d.) The total dock height, including railing shall not exceed five (5) feet, from ground level.
  - e.) All docks shall have footings forty-two (42) inches deep.
- 6.) Each numbered lot shall have only one (1) pier. Where lot lines have been vacated to form one (1) lot, one (1) additional pier will be allowed for each additional replatted lot.

#### **552 - PLAYHOUSES / TREE HOUSES**

- 1.) Playhouses and tree houses must be approved by the Environmental Control Committee. A Candlewick Lake Building Permit is not required.
- 2.) An application, survey and plans, including material list, showing dimensions and location of construction must be submitted to the Candlewick Lake Building Department at least seven (7) working days prior to the scheduled Environmental Control Committee meeting.
- 3.) The property owner is responsible for contacting the Candlewick Lake Building Department for inspection when completed.
- 4.) Concrete slabs are not allowed for playhouses.
- 5.) Playhouses and tree houses must be at least ten (10) feet from side and five (5) feet from rear lot lines, except for lakefront property, which must be at least thirty-five (35) feet from the lake.

#### **556 - POOLS (IN GROUND)**

- 1.) In-ground pools must be approved by the Environmental Control Committee and will be considered on an individual basis. A Candlewick Lake and Boone County Building Permit must be issued. A refundable construction deposit must be posted at the time the Building Permit is issued.
- 2.) A survey, showing the dimensions and location of construction must be submitted to the Candlewick Lake Building Department at least seven (7) working days prior to the scheduled Environmental Control Committee meeting.
- 3.) The property owner is responsible for contacting the Candlewick Lake Building Department for inspection when completed. The Boone County Building Inspector and Electrical and Plumbing Inspectors must be contacted for their required inspections.
- 4.) In-ground pools must be completely enclosed with a forty-eight (48) inch high barrier, measured on the side that faces away from the pool. The maximum distance between grade and the bottom of the barrier shall be two (2) inches. The barrier shall be located at the edge of the paved deck area surrounding the pool, but no greater than ten (10) feet from the edge of the pool. The location of the barrier must be shown on the survey. When the pool is removed, the barrier must be removed.
- 5.) The barrier may not extend over the side setback line and must be a minimum of 15' from the rear lot line.

#### **560 - POOLS (ABOVE GROUND)**

- 1.) Any structure intended for swimming or recreational bathing that is capable of containing water over twenty-four (24) inches deep must be approved by the Environmental Control Committee. A Candlewick Lake and Boone County Building Permit must be issued.
- 2.) An application, survey and plans showing the dimensions and location of construction must be submitted to the Candlewick Lake Building Department at least seven (7) working days prior to the scheduled Environmental Control Committee meeting.
- 3.) The property owner is responsible for contacting the Candlewick Lake Building Department for

inspection when completed. The Boone County Building and Electrical Inspectors must be contacted for their required inspections.

- 4.) A forty-eight (48) inch high barrier shall be installed. The barrier may be any of the following.
  - a.) The pool structure provided it is a minimum of forty-eight (48) inches high.
  - b.) A barrier on top of the pool structure. The maximum distance between the top of the pool and the bottom of the barrier shall be four (4) inches.
  - c.) A separate barrier which must be placed adjacent to the perimeter of the pool.
  - d.) A deck around the pool. The vertical distance from the deck to the top of the railing shall not exceed thirty-six (36) inches. Spacing between barrier sections shall not exceed four (4) inches.
  - e.) When a pool is taken down, the barrier must be removed.
- 5.) Ladders or steps shall be capable of being secured, locked or removed to prevent access.
- 6.) Free standing above ground pools must be at least ten (10) feet from side and fifteen (15) feet from rear lot line, except for lakefront property, which must be at least thirty-five (35) feet from the lake. If a deck that attaches to the house is constructed around a pool, the pool/deck combination may not extend over the rear yard set back line.

#### **562 – RAIN BARRELS**

- 1.) Rain barrels must be approved by the Environmental Control Committee. A Candlewick Lake Building Permit is not required.
- 2.) An application, survey and plans, including material list, showing dimensions and location of construction must be submitted to the Candlewick Lake Building Department at least seven (7) working days prior to the scheduled Environmental Control Committee meeting.
- 3.) The property owner is responsible for contacting the Candlewick Lake Building Department for inspection when completed.
- 4.) The following specifications shall apply to rain barrels.
  - a.) All rain barrels must be commercially produced and must have a solid cover.
  - b.) Rain barrels may not exceed 55 gallons in size.
  - c.) The only approved colors for rain barrels are terra cotta, black, brown, grey, beige or white. Other colors may be permitted upon ECC approval.
  - d.) Rain barrels must be attached to the downspouts nearest the rear of the house.
  - e.) There is a limit of two (2) rain barrels per house.
  - f.) If an electric pump is installed, rain barrels must comply with Illinois Plumbing Code.
  - g.) Rain barrels must employ an overflow connection or a diverter must be installed on the downspout. The overflow connection must be constructed/designed to direct excess water to flow away from the house foundation. No rain barrel water shall be permitted to drain onto any adjacent property.
  - h.) If a rain barrel becomes damaged and/or non-functional, the rain barrel shall be replaced or the downspout drainage converted back to the original configuration to prevent damage to the house foundation and erosion as well as prevent mosquito breeding grounds and obnoxious/repugnant odors.

- i.) Rain barrels shall be placed on a solid base such as closely placed pavers/bricks/block/tiles or concrete.
- j.) Subject to the conditions of 4h, any rain barrels which were previous in use but are not in compliance with this rule are previous non-conforming uses commonly called “grandfathered” and therefore exempted from this rule.

#### **564 - FULL SIZE SATELLITE DISHES (OVER 39”)**

- 1.) Satellite dishes must be approved by the Environmental Control Committee and will be considered on an individual basis. A Candlewick Lake Building Permit must be issued.
- 2.) An application, survey and plans showing dimensions and location of construction must be submitted to the Candlewick Lake Building Department at least seven (7) working days prior to the scheduled Environmental Control Committee meeting.
- 3.) The property owner is responsible for contacting the Candlewick Lake Building Department for inspection when completed.
- 4.) Only one (1) satellite dish per house is allowed.
- 5.) The property owner is responsible for ensuring the satellite dish is properly grounded.

#### **572 - SHEDS**

- 1.) Sheds must be approved by the Environmental Control Committee. A Candlewick Lake Building Permit is required.
- 2.) An application, survey and plans showing dimensions and location of construction must be submitted to the Candlewick Lake Building Department at least seven (7) working days prior to the scheduled Environmental Control Committee meeting.
- 3.) The property owner is responsible for contacting the Candlewick Lake Building Department for inspection when completed.
- 4.) Plans must include the following.
  - a.) Distance from side and rear of lot line. Sheds must be a minimum of ten (10) feet from the side and five (5) feet from the rear lot line, for a non-lake front lot. Sheds may be no closer to the lake than thirty-five (35) feet.
  - b.) Dimensions of shed and include a front and side view. Maximum size allowed is 120 square feet and maximum height is ten (10) feet, six (6) inches, measured from lot grade to peak of roof. Maximum roof overhang is one (1) foot. No flat roofs are allowed.
  - c.) Material list, including material used for the floor. No metal sheds or distracting materials are allowed.
  - d.) Color of shed, which must match or blend with house.
- 5.) Only one (1) shed is allowed per numbered lot. Where lot lines have been vacated to form one lot, only one (1) shed will be allowed.
- 6.) All sheds must be properly maintained.
- 7.) If a shed is constructed on a vacant lot a culvert must be installed prior to construction of shed.
- 8.) Any shed or storage container that is six (6) feet or higher in height, regardless of the width and depth will be considered a shed and the above rules will apply.

## **578 - SHORELINE STABILIZATION**

- 1.) Any shoreline stabilization must be approved by the Environmental Control Committee upon the recommendation of the Lake Management Committee. A Candlewick Lake Building Permit is not required.
- 2.) An application and plans showing dimensions and location of construction must be submitted to the Candlewick Lake Building Department at least seven (7) working days prior to the scheduled Lake Management Committee meeting.
- 3.) The property owner is responsible for contacting the Candlewick Lake Building Department for inspection when complete.
- 4.) All shorelines must be stabilized except a property owner may choose to leave a maximum of twelve (12) feet unprotected. The unprotected shoreline may be used for a sand beach, boat launch, etc.
- 5.) Any shoreline stabilization project must be completed within four (4) weeks from the date the project is started.
- 6.) Shoreline stabilization repairs or changes.
  - a.) Rip Rap: Filter cloth must be laid prior to the placement of rip rap. Only rip rap filter cloth may be used; landscape fabric is not permitted. The filter cloth must extend one (1) foot past the underwater slope. Inadequate rip rap must be removed, or it must be filled with small river stone to make a smooth surface before installing the filter cloth and additional rip rap. The allowable size of rip rap that shall be used is a minimum of #3 (6") and a maximum of 16".
  - b.) Alternative Methods: A variance may be considered and allowed on an individual basis.
  - c.) Natural Shoreline Vegetation: Non-native or invasive species as listed on the Illinois Department of Natural Resource Invasive Species list are prohibited.
  - d.) Vertical rigid structures are not allowed. Repairs to existing vertical rigid structures are not allowed. If any part of the structure is to be removed or repaired, the entire structure must be removed and replaced with rip rap or other ECC approved stabilization.
  - e.) Reclaiming shoreline is not allowed.

## **580 - TREE REMOVAL**

- 1.) Tree removal over three (3) inches in diameter must be approved by the Candlewick Lake Building Inspector. Tree removal authorization by the Building Inspector is to be within the following guidelines and said tree or trees must be within the property boundaries of the applicant and said tree or trees must meet one of the following criteria: the tree interferes with the view or yard usage preference of the property owner; the tree poses a risk of causing damage to structures, personal property, or individuals; the tree is dying. A Candlewick Lake Building Permit is not required.
- 2.) An application, showing location of tree removal must be submitted to the Candlewick Lake Building Department
- 3.) The property owner must notify Public Safety at least 24 hours in advance when removal of tree(s) will impact roadway access.
- 4.) Any fallen tree or tree branch that is lying on the ground must be removed. Written permission by the property owner may be granted to another property owner to remove the trees.
- 5.) Fallen or dead trees on common ground are allowed to be removed after approval by the General Manager.
- 6.) Cutter must have and show proof of liability insurance. A copy of the policy is required.

- 7.) Any damage to the lot, adjacent property or non-marked trees must be repaired at the cutter's expense.
- 8.) The exception to this rule would be if an application for tree removal does not meet the criteria, it would require the approval of the Environmental Control Committee.
- 9.) A property owner may appeal any denial by the Building Inspector for a tree removal to the Environmental Control Committee.

#### **584 – REFUSE ENCLOSURES**

- 1.) Refuse enclosures must be approved by the Environmental Control Committee. A Candlewick Lake Building Permit is not required.
- 2.) An application, survey and plans, including material list and color, showing dimensions and location of construction must be submitted to the Candlewick Lake Building Department at least seven (7) working days prior to the scheduled Environmental Control Committee meeting.
- 3.) The property owner is responsible for contacting the Candlewick Lake Building Department for inspection when completed.
- 4.) The following specifications shall apply to refuse enclosures.
  - a.) Wall material shall be wood, plastic or masonry only.
  - b.) The floor shall be concrete, or closely placed bricks, blocks or tiles.
  - c.) Size shall not exceed 4' wide x 8' long x 5' high. One of the long sides shall be part of the house wall.
  - d.) The enclosure shall be constructed so that no refuse container shall be visible from any house, street or common area in the development.
  - e.) A gate with latch shall be installed.
  - f.) Enclosure shall be located on a side or rear wall of the house only. On lakeshore property the location shall be limited to the sides of the house only.
- 5.) The entire floor area shall be kept free of weeds, growths or any obnoxious or repugnant odors.

#### **SECTION 600: COMMON GROUND**

##### **604 - UTILIZATION OF COMMON GROUND**

Candlewick Lake common ground shall not be utilized in any way without written permission from the General Manager.

##### **608 - COMMON AREA OBSTRUCTION REMOVAL**

- 1.) All landscaping and other objects located in the common areas, even if previously allowed, are subject to removal by the Association.
- 2.) All removals shall be approved by the General Manager and shall be based on the need for vehicle access, drainage, or other functions for the good of the Association.
- 3.) All property owners immediately adjacent to obstructions to be removed will be notified one month prior or as far in advance as possible by the Association.
- 4.) The Association will attempt to not damage the items being moved, but shall not be liable for any damages.
- 5.) Utility companies that have access and easement privileges in Candlewick Lake common areas are obligated to notify the Association prior to removal of obstructions.

- 6.) Any costs incurred by the Association for moving, removing, or storing will be billed to the owner.

## **SECTION 700: SIGNS**

### **1.) General**

- a.) No sign shall exceed six (6) square feet in size, except where noted in 7d.
- b.) No sign shall be placed in the ditch. The ditch is defined as the area between the paved road and the front lot line.
- c.) No sign shall be placed on common area or in the right-of-way except as allowed for Garage Sale signs per respective rules below.
- d.) Failure to comply with any of the rules will result in a citation being issued.

### **2.) General Contractor Signs**

- a.) The General Contractor for the construction of only new houses may display one (1) General Contractor sign within the boundaries of the lot, after a Candlewick Lake Building Permit has been issued for new house construction.
- b.) No sub-contractor signs are allowed.
- c.) The General Contractor sign must be removed when the construction process is completed or the permit expires.
- d.) No contractor signs of any type are allowed on the lot for home improvement projects to an existing house.

### **3.) Real Estate Signs**

#### **a.) Real Estate Signs - Improved Lots**

A Real Estate sign, offering the property for sale or for rent, may be displayed on an improved lot. Brochure boxes, if applicable, must be attached to the sign.

- 1.) One real estate sign may be displayed in the front yard and must be within the property lines. On a lake-front house, two real estate signs may be displayed, one placed in the front yard (street side) and one in the back yard (lake side) of the house. .
- 2.) A homeowner contracting with a realtor to sell a house or a house for sale by owner shall be responsible to maintain the external portion of the property as defined in the CC & R's, Section II, Paragraph G.
- 3.) If the above referenced environmental control standards are not maintained, the Association may, without precluding the Association from seeking any other remedy permitted under the Association's governing documents and/or applicable law, remove the real estate agent's or owner's sign. Removed signs will be stored in the maintenance storage building until retrieved by the owner or disposed of by the Association. The reinstallation of the sign will be permitted upon the owner's compliance with all applicable environmental control standards. The Association shall not be liable for any loss of or damage to signs caused by Association removal, storage or disposal. Any expenses incurred by the Association in connection with the removal, storage and/or disposal of signs shall be charged to the assessment account of the owner and shall be collectible in the same manner as any assessment or other common expense.

**b.) Real Estate Signs – Unimproved (Vacant) Lots**

A Real Estate sign shall not be placed on an unimproved (vacant) Lot except on Sundays when open houses are held. A sign on a vacant Lot shall only be displayed during the open house hours. Citations will be issued any time a sign is on a vacant Lot other than during open house hours; no warnings will be given.

**c.) Open House Signs/Hours**

- 1.) If open house and directional signs are displayed on Sundays when an open house is held, the signs shall be displayed no earlier than one hour prior and no later than 1 hour after the open house. Open house hours are 2:00 PM to 4:00PM.
- 2.) When Broker open houses are held on Tuesdays, open house signs shall only be displayed no earlier than one hour prior and no later than 1 hour after the open house. No directional signs are permitted and open house signs shall only be placed on the improved lot. Broker open house hours are 10:00 AM to 2:00 PM.

**4.) Political Signs**

- a.) Political signs may be displayed on any improved lot.
- b.) Political signs shall only be displayed within the property lines of the lot.
- c.) Political signs shall not be displayed sooner than sixty (60) days prior to or later than ten (10) day after the election.

**5.) Garage Sale Signs**

Garage sale signs shall not be displayed earlier than 5:00 PM on the day immediately prior to the first day of the garage sales and must be removed no later than 8:00 AM on the Tuesday immediately following the last day of the garage sales.

- a.) If signs are displayed before and/or after the allowable time frame, a citation will be issued. No warnings will be given for garage sale signs.
- b.) For garage sales signs only, they may be placed on the common elements or right-of-way within the time parameters outlined above.

**6.) Celebratory Signs**

- a.) Shall only be displayed on improved lots.
- b.) Celebratory signs shall only be displayed within the property lines of the lot.
- c.) Celebratory signs shall only be displayed for 14 days and then removed.

**7.) Security Signs**

- a.) Shall only be displayed on improved lots.
- b.) Security signs shall only be displayed within the property lines of the lot.
- c.) Security signs shall be displayed within 5 feet of the house.
- d.) Security signs shall not exceed 12” x 12” in size.

**8.) Wire (Underground) / Wireless Dog Fences Signs.**

Per Section 529 of the ECC Building Rules and Regulations, a clearly visible sign must be posted when a wired or wireless dog fence is in use.