

# **LAKE LUCERNE CLUB COMPANY ARCHITECTURAL REVIEW BOARD STANDARDS**

## **1. Architectural Review Board**

### **1.1 History**

At the time of the original conveyance of property from The Lake Lucerne Land Company to individual property owners, the deed of the conveyance from the Lake Lucerne Land Company, contained certain restrictions, reservations, and covenants, which, among other things, reserved certain rights and authority in The Lake Lucerne Land Company. On or about April 4, 1987, The Lake Lucerne Land Company assigned to The Lake Lucerne Club Company all of its rights and reservations under the Deed Restrictions of record, which Deed Restrictions have been recorded in the Geauga County Recorders Office at Volume 787, Pages 34 through 39, later refiled on January 28, 2019, at Book 2064, Page 2357.

By virtue of the said prior Deed Restrictions, The Lake Lucerne Club Company was vested with, among other things, the power and authority, to review and approve architectural plans and designs for construction of all buildings and structures; and with the power to review and approve the installation, storage, location, or maintenance, of building, structures, fixtures, personal property, improvements, and additions in or to residential property within the Lake Lucerne Subdivisions. The Board of Trustees of The Lake Lucerne Club Company determined that an Architectural Review Board should be established to carry out the duties of the Club Company under said prior Deed Restrictions.

In an effort to be fair and equitable to all residents and property owners, The Lake Lucerne Club Company determined it appropriate to establish architectural planning criteria to be followed by the Architectural Review Board and individuals desiring to make improvements to property within the Lake Lucerne Subdivisions, to be known as the Lake Lucerne Club Company Architectural Review Board Standards ("ARB Standards"). The purpose of the ARB standards is to maintain quality construction and property values within the Lake Lucerne Subdivisions. Said ARB Standards were approved by a majority of the lot owners of the Lake Lucerne Subdivisions at the annual membership meeting of The Lake Lucerne Club Company on November 20, 1988, at which a quorum of club members was present.

The Lake Lucerne Club Company has appointed a committee to be known as the Architectural Review Board. In accordance with the rights, duties and obligations granted to and imposed upon The Lake Lucerne Club Company by the Deed Restrictions of the Lake Lucerne Subdivisions, the Board of Trustees of The Lake Lucerne Club Company, upon recommendation of the Architectural Review Board, does hereby adopt the following architectural planning criteria.

### **1.2 Statement of Purpose & Function**

The Purposes of the Architectural Board of Review ("Architectural Review Board") are to protect the value, appearance and use of property on which buildings are constructed or altered, to maintain a high character of community development, to protect real estate within The Lake Lucerne Subdivisions ("Lake Lucerne") from impairment or destruction of value. Such purposes shall be accomplished by the Architectural Review Board by regulating, according to accepted and recognized architectural principles, the design, use of materials, finished grade lines, dimensions, orientation and location of all main and accessory buildings to be erected, moved, altered, remodeled or repaired, subject to the provisions of the Zoning and Building Codes and other applicable ordinances of the Township should such codes or ordinances be adopted in the future. In reviewing, regulating and approving building plans, the Board shall consider and take cognizance of the adjacent and contiguous development and neighboring related properties. This Board shall also serve to regulate maintenance and upkeep of properties located within Lake Lucerne Subdivision.

The Architectural Review Board will meet once a month, generally on the last Monday of the month, unless there is no business to be conducted at a regularly scheduled monthly meeting.

### **1.3 The Architectural Review Board ("ARB")**

The architectural review and control functions of The Lake Lucerne Club Company, hereunder, shall be administered and performed by the Architectural Review Board ("ARB"), which shall consist of no less than five (5) members, all of whom shall be members of The Lake Lucerne Club Company. The Board of Trustees of The Lake Lucerne Club Company shall appoint all of the members of the ARB. A majority of the ARB shall constitute a quorum to transact business at the meeting of the ARB, and the action of a majority present at the meeting, at which a quorum is present, shall constitute the action of the ARB.

Any vacancy occurring on the ARB because of death, resignation, or other termination of service of any member thereof, shall be filled by the Board of Trustees of The Lake Lucerne Company, as soon as reasonably practicable thereafter.

#### 1.4 ARB Responsibilities

The responsibilities of the ARB are as follows:

- Review all applications for compliance with design review criteria
- Review significant exterior and landscape design themes of all structures proposed for Lake Lucerne
- Ensure architectural and landscape designs that are in harmony with the natural environment and neighboring building sites
- Promote high standards of design and quality construction methods and help ensure that all properties are properly maintained

#### 1.5 Application/Owner Responsibilities

The ARB assumes no liability for the responsibilities of the Applicant Owner. These responsibilities include the following:

- Accuracy of all stakeouts and surveys
- Determination of environmental restrictions, runoff protection, drainage and grading requirements, and all surface and subsurface soil conditions
- Performance of quality work of any contractor or subcontractor
- Determination of structural, mechanical, electrical, and all other technical aspects of the proposed work
- Compliance with the design guidelines
- Compliance with all laws, codes, and ordinances of governmental agencies and bodies
- Deposits and fees

#### 1.6 Non-Compliance Penalty

Failure to submit application and plans for review in advance of construction is subject to a Fine, up to \$1,000 at the discretion of the Architectural Review Board.

#### 1.7 Amendments

The Architectural Review Board may at any time propose amendments and/or additions to these criteria, which amendments or additions shall be submitted to the Board of Trustees of the Lake Lucerne Club Company for their review and approval. If approved by a majority of the Board of Trustees, such amendments or additions shall become effective the date of such approval.

## **2. Design Philosophy**

### 2.1 Design Philosophy

The Lake Lucerne ARB Standards are intended to maintain the harmony that has shaped the community over the years. The desire to minimize the impacts on the natural environment, to consider scale, site placement, and composition will preserve a balance between the natural and built environment.

### 2.2 Architectural Styles

The scale and building proportions, site relationship, color, massing and other design components of new structures or additions should complement the existing surrounding dwelling styles. Additionally, the use of sustainable, renewal resources is encouraged. Green building practices are outlined in Appendix A.

### 2.3 Repetition

In order to maintain the quality and integrity of Lake Lucerne, as well as property values, the Architectural Review Board may reject any design, or approve with recommendations and conditions. In order to reduce excess similarity between houses, the Board will not accept houses with the same plan and roof line next to each other. A design identical to an existing dwelling in Lake Lucerne will not be permitted.

Likewise, the Board may reject a proposed design because it is incompatible with existing structures or that there are an excessive number of similar designs within the Lake Lucerne Subdivision.

### **3. Site Guidelines**

#### **3.1 Commencement of Construction**

No site preparation or construction shall commence, nor shall a foundation for a building or other structure be installed, until the drawings for the building and a site plan are approved by the Architectural Review Board. It is the purpose of this approval to assure that the building is placed on the lot in its most advantageous position, that the architectural design is consistent with and complimentary to other structures and buildings in Lake Lucerne, no trees are unnecessarily disturbed, and that it does not, in the opinion of the Architectural Review Board, adversely affect adjacent properties.

#### **3.2 Ditches and Drainage**

Ditches are critical to the upkeep and maintenance of Lake Lucerne roads. All developers and/or property owners shall install roadside ditches and culverts under drives and maintain same at their own expense as are necessary to allow for the unrestricted flow of surface water. Should any property owner fail to maintain said ditch, Lake Lucerne Club Company may, but is not required to, take any required action and the property owner will be responsible to reimburse the Club Company for any charges incurred.

Site grading and drainage must be done with the goal of minimum disruption to the lot. Property owners shall observe the following: a) all site grading and drainage controls should occur within the Envelope of the Lot; b) the design should take advantage of the natural contours of the land and use swales and depressions to direct water flow; c) consider site drainage and building runoff to avoid unnatural modification of existing drainage and d) not unnaturally direct drainage across adjacent properties.

#### **3.3 Tree Policy**

New construction should take into consideration existing trees on the site. Developers and/or property owners are encouraged to minimize the need for tree removal.

In reviewing plans for new construction the Architectural Review Board shall take into account the natural landscaping of the lot such as trees, shrubs, and the like, and may require the builder or developer to incorporate the trees in his landscaping plan. Once incorporated into such plan and approved by the Architectural Review Board no trees shall thereafter be removed by owner, developer, builder or other person without the prior written consent of the Architectural Review Board.

No live tree larger than 4 inches in diameter, measured at 3 feet above the ground, shall be taken down without prior approval from the Architectural Review Board.

#### **3.4 Driveway**

All new dwellings shall have a driveway of at least sixteen (16) feet in width at the entrance to the garage. Unless prior approval is obtained from the Architectural Review Board, all garage aprons must be constructed with concrete or asphalt. All driveways shall be constructed of concrete, asphalt, paving block, cobblestone or gravel. Unless the Architectural Review Board relieves a property owner or developer of such requirements in writing, all driveways shall have driveway culverts, the position of which shall be subject to the approval of the Architectural Review Board.

#### **3.5 Building Setbacks**

The building setbacks for front, side and rear lot lines as provided in the Deed Restrictions shall be strictly complied with, provided, however, the Architectural Review Board may in its sole discretion require greater setbacks with respect to any proposed building, but not lesser setbacks.

Please note that the following minimum setbacks will be enforced with no exceptions: 10'-0" side yard, 10'-0" rear yard, and 50'-0" front yard (see Diagram 1-3 for Allowable Building Areas for new construction and additions).

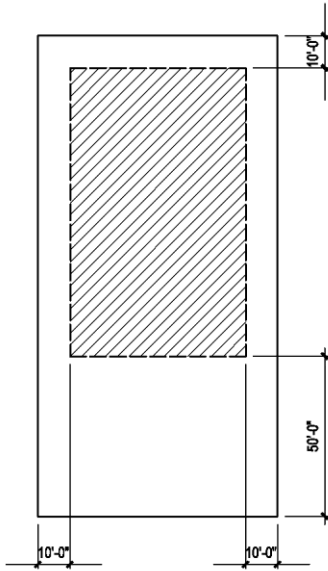


Diagram 1:  
Allowable Building Area

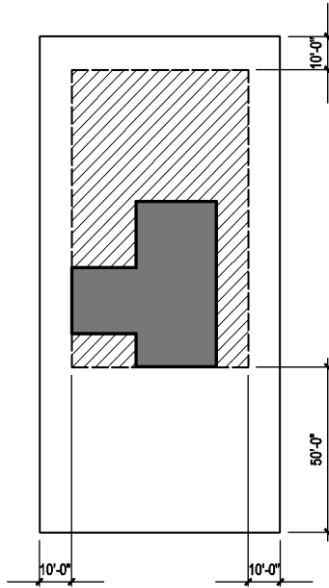


Diagram 2:  
Allowable Area, Addition  
Existing Conforming Condition

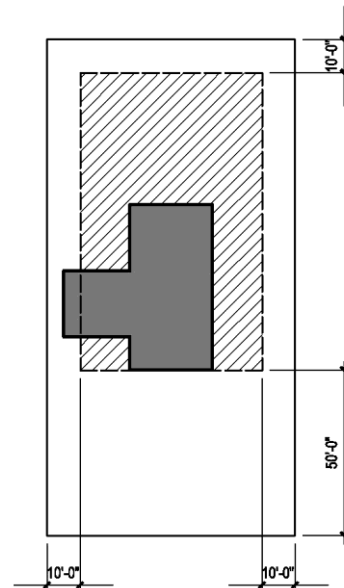


Diagram 3:  
Allowable Area, Addition  
Existing Non-Conforming Condition

### 3.6 Lot Coverage

No plans and specifications will be approved if the total coverage exceeds 40% of the square footage of said lot including the buildings and structures herein enumerated, as well as any asphalt, concrete or other unnatural surface proposed for construction or installation on said lot.

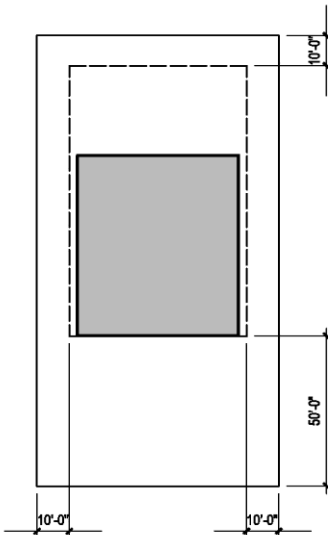


Diagram 4:  
Maximum Lot Coverage of 40%

## 4. Architectural Guidelines

### 4.1 Building Size

All future single family dwellings constructed on any lot shall contain a minimum of 1,800 square feet of livable enclosed floor area (exclusive of open or screen porches, terraces, garages, decks, etc.). Each dwelling shall have an enclosed garage for not less than two (2) cars.

### 4.2 Building Height

No building shall exceed thirty-five (35) feet in height, measured from the average finished grade to the highest point of the roof.

**NOTE: The building setbacks, heights and lot coverage defined herein do not comply with Bainbridge Township Zoning Regulations. Nearly any addition or new construction within Lake Lucerne will require a variance from the Bainbridge Township Board of Zoning Appeals.**

### 4.3 Building Exterior

#### 4.3.1 Exterior Color Plan

The Architectural Review Board shall have final approval of all exterior color plans for new and existing dwellings and each owner must submit to the Architectural Review Board a color plan showing the color of the roof, exterior walls, shutters, trims, etc. Such approval is not required if the color scheme on a dwelling is not going to be changed. The Architectural Review Board shall consider the extent to which the color plan is consistent with the homes in the surrounding areas and the extent to which the color plan conforms to the natural color scheme of and for the Lake Lucerne Subdivision.

Preferred Exterior Color Guidelines:

- a. Significant variation is encouraged, monotonous color palettes are discouraged.
- b. Trim in general should be lighter in value than the main body color.
- c. Roof and wall colors should be complimentary.
- d. Garage doors should be painted the same color as the trim or main body of the house in order to help the door blend into the house wall.

#### 4.3.2 Exterior Walls

The following are preferred for cladding exterior walls:

- a. Wood
- b. Stucco
- c. Brick
- d. Stone

Preferred Composition and Guidelines:

- a. All exposed foundations should be finished in brick, masonry, stucco, or cement wash.
- b. The architectural style proposed shall determine the number and type of materials selected.
- c. Lighter materials shall occur over heavier materials.
- d. Vertical changes in materials should occur at inside corners; horizontal changes should occur at floor levels or at the base of gable ends.

#### 4.3.3 Roofs, Eaves & Gutters

The following are preferred for roofs:

- a. Wood shingles or shakes
- b. Natural slate
- c. Concrete tile
- d. Roof flashing must be copper or pre-finished aluminum; no unfinished metal may be visible
- e. Simulated slate
- f. Simulated wood shakes

Preferred Guidelines:

- a. Roof pitch and profile must be consistent with the dwelling's architectural style.
- b. Roof color shall be compatible with the dwelling's wall color and architectural style.

- c. Skylights and roof appurtenances shall be placed towards the rear of the dwelling concealing them from the street, way, or entry court.
- d. Chimneys shall be brick, masonry, stucco, or metal and must be compatible with the dwelling's architectural style.

The following are preferred for gutters and downspouts:

- a. Concealed gutters
- b. Half-round profile for hung gutters, up to 6-inch diameter
- c. Solid wood gutters
- d. Rectangular or circular downspouts

#### 4.3.4 Exterior Doors, Windows & Shutters

The following are preferred for solid, glazed, storm/screen and shutter doors:

- a. Painted or stained wood, metal and glass
- b. Sliding doors are not permitted as the main entry door

The following are preferred for windows, shutters and storm/screen sash:

- a. Wood, metal or vinyl clad wood and solid frames
- b. Shutters must be equal in proportion to the window opening
- c. Fixed, double hung, single hung, casement and awning windows

#### 4.3.5 Exterior Trim & Details

- a. Use corner boards with wood or fiber-cement siding.
- b. All trim detailing shall be consistent with the dwelling's architectural style.
- c. Detail and proportion of roof overhang and eaves shall be consistent with the dwelling's architectural style.

#### 4.3.6 Awnings & Canopies

Awnings must be appropriate to the design of the house and in compatible colors. Materials must be fabric. Rigid aluminum awnings are not allowed. Awnings and canopies must be compatible with the design and color scheme of the house.

#### 4.3.7 Exterior Steps & Paving

The following are preferred for exterior steps and paving:

- a. Wood
- b. Brick
- c. Stucco
- d. Stone or cast stone
- e. Terracotta

### 4.4 Garages

Each new residence is required to have a garage. No more than one (1) garage may be constructed for any residence, whether new or existing. In addition to all other building requirements stated herein, all garages shall have a minimum width of twenty-two (22) feet for a two-car garage, or thirty-three (33) feet for a three car garage; measured from the inside walls of the garage. Under no circumstances shall a garage be larger than a three-car garage.

All new or remodeled garages must have either a single overhead door with a minimum door width of sixteen (16) feet for a two-car garage, or two (2), or three (3) individual overhead doors, each a minimum of eight (8) feet in width, and a service door. No carports will be permitted unless specifically approved by the Architectural Review Board. The Architectural Review Board shall have the authority to require center posts between doors for two or three car garages, and may require two doors for a two-car garage even when a single door has been planned. If an existing garage is converted to residential space, a new garage shall be constructed to replace the converted garage.

### 4.5 Fences and Garden Walls

No fence shall be erected, replaced, or modified on any Lake Lucerne property other than the common property of the Lake Lucerne Club Company. Decorative border fencing may be erected or

replaced if it is approved by the Architectural Review Board and meets all the following criteria:

- a. does not exceed 24 inches in height,
- b. is constructed of wood, vinyl, fiberglass, brick or stone,
- c. does not enclose an area of the yard, and
- d. is less than 1/2 the length of the property line which they parallel.

#### 4.6 Mechanical, Electrical and Other Equipment

Where visible from an adjacent property, mechanical equipment, trash receptacles, emergency generators, storage tanks and other devices are to be screened from roads and adjacent properties.

##### 4.6.1 Central Air Conditioning, Heat Pumps and Emergency Generators

Such units shall be located only in rear yards, unless locating said units in the rear yard is not possible. In those circumstances where the unit cannot be located in the rear yard, side yard installation may be permitted by the ARB upon submittal for review of a site plan showing the exact proposed location and securing written approval from the ARB prior to the installation. Unit noise levels, electric power source location, sound attenuation and screening, distance to adjacent neighbor bedroom(s) and other living spaces windows, should be addressed in the site plan for review as these are all criteria that will be used by the ARB to determine, in the opinion of the ARB, if a proposed location will be approved on a case by case basis. Units located in the rear of the house cannot be located closer to side lot lines than is the main building.

##### 4.6.2 Solar Energy Systems

Any new construction, addition, or alteration that changes the exterior appearance of a building must be approved by the ARB and that includes solar panels. The ARB has developed guidelines when reviewing solar panels:

- a. Ground mounted solar energy systems are NOT permitted.
- b. Solar energy systems may NOT be mounted to any accessory structure.
- c. Roof mounted solar energy systems will not extend beyond the roof in any direction including the peak. Compliance with Bainbridge Township and Geauga County standards is required.
- d. Solar energy system components are not permitted on the front of the house.
- e. Solar energy system components should coordinate with existing roof, siding & trim.
- f. Roof mounted components should be mounted flat/parallel to the roof surface and not extend more than six inches above the roof surface.
- g. Components shall form a regular pattern on the roof when possible.
- h. All components are to be located in an unobtrusive location within the rear envelope of the home.
- i. System wiring and components are to be routed inside the house whenever possible. Any use of outside wiring and/or system components must be minimized and utilize appropriate installation materials such as conduit, fasteners, etc. All components located on the roof should match the roof color. All components located on the house should match the house and/or trim color and be placed in an unobtrusive area.
- j. There shall be no signs that are visible from any public road posted on a solar energy system or any associated building, except for the manufacturer's or installer's identification, appropriate warning signs or owner identification.
- k. Solar energy systems that connect to the electrical utility shall comply with Ohio's Interconnection Standards, NEC Standards and the standards of the utility, and all other applicable standards.

#### 4.7 Satellite Dishes

Direct broadcast satellite (DBS) and multipoint distribution system (MDS) antennas one meter in diameter or less are permitted within the Lake Lucerne Subdivisions subject to the requirements of the Architectural Review Board, which include, but are not limited to, the following:

- a. A description of the type of antenna to be installed;
- b. A site plan indicating the proposed location of the antenna and its adjacent property owners. It is the objective of the Architectural Review to regulate the location of the antennas in a manner that keeps them from public view. This may include landscaping and/or painting of the antenna to blend with its surroundings.

## **5. Landscape Guidelines**

### **5.1 General Yard & House Maintenance**

All Structures and premises shall be maintained neatly and in good repair. The Architectural Review Board, upon receipt of complaints from residents, may request a property Owner to correct the subject of any such complaint, using the following method: an initial letter notifying the Owner of a complaint to be corrected shall be mailed Certified Mail to the Owner requesting corrective action be taken within thirty (30) days of the date of the mailing. A copy of said notice shall be forwarded to the Board of Trustees. If at the end of the initial thirty (30) day notification period, in the opinion of the ARB, no corrective action is taken or substandard corrective action has been taken, a second notice shall be mailed Certified Mail to the Owner again detailing the uncompleted corrective work and/or the substandard corrected work and requesting completion within the next thirty (30) day period. A copy of said second notice shall be forwarded to the Board of Trustees. If at the end of the second thirty (30) day period, in the opinion of the ARB, no corrective work has been completed and/or substandard corrective action has been taken, a third notice shall be mailed Certified Mail to the Owner again detailing the uncompleted corrective work and/or the substandard corrective work and announcing the intent, in accordance with the Deed Restriction of the Lake Lucerne Club Company, to retain qualified subcontractors to complete said corrective action and bill the Owner a special assessment to their dues equal to all costs associated with corrective work to be completed. A copy of said third notice shall be forwarded to the Board of Trustees. Said special assessment shall become due and payable upon completion of the work directed by the ARB and shall constitute and become a lien of the lot so assessed and the Lake Lucerne Club Company may cause to be recorded in the County Records Office for Geauga County, a notice of the assessment lien which shall state the amount of such lien, description of the lot assessed, and the name of the record Owner thereof.

### **5.2 Landscaping**

The Architectural Review Board may require landscaping around any dwelling, structure or building as it may deem necessary to provide a buffer and/or protect neighboring properties. No resident shall allow overgrowth of weeds, underbrush or other unsightly growth, dead trees, downed trees or tree limbs, to remain on said resident's property.

### **5.3 Storage Barns & Other Outbuildings**

Any property owner desiring to construct a storage barn or other outbuilding shall be subject to the standards set forth and the deed restrictions for the Lake Lucerne Subdivisions, herein governing the construction of all buildings, including but not limited to submission of drawings and a site plan relating to such construction. No storage barn or other structure of any kind or nature shall be constructed on any part of a lot located in front of the rear line of the residence constructed thereon. In reviewing the plans for construction of any such building, the Architectural Review Board may consider the following matters and may require action by the property owner designed to address each issue, as a condition of approval:

- a. Visibility of such building from the street;
- b. The appropriateness of shrubbery around such building so as to limit visibility by neighbors
- c. The building shall be constructed of materials and colors harmonious with the house and surrounding properties (no metal buildings are permitted);
- d. The height of such building, which shall not exceed twelve (12) feet;
- e. The size of such building, which shall not be larger than 120 square feet;
- f. Siding on any such building shall be to finished grade;
- g. The proposed use for such building (no such building shall be constructed for the purpose of housing animals).

### **5.4 Temporary Structures**

No structure of a temporary character, trailer, basement, shack, garage, barn or other out building shall be used on any lot at any time as a residence either temporarily or permanently.

### **5.5 Swimming Pools & Tennis Courts**

Any swimming pool or tennis court to be constructed on any lot shall be subjected to the requirements of the Architectural Review Board, which include, but are not limited to, the following:



- a. Composition to be of material thoroughly tested and accepted by the industry for such construction;
- b. The outside edge of any pool wall may not be closer than four feet to a line extended and aligned with the side walls of the dwelling;
- c. No screening of pool area may stand beyond a line extended and aligned with the side walls of the dwelling unless approved by the Architectural Review Board;
- d. Pool screening may not be visible from the street in front of the dwelling;
- e. Location and construction of tennis, badminton or other courts must be approved by the Architectural Review Board; and
- f. Any lighting of a pool or other recreation area shall be designed so as to buffer the surrounding residence from the lighting.
- g. No above ground swimming pools shall be placed or constructed on any lot or property within the Lake Lucerne Subdivision. Hot tubs up to 600 gallons will be allowed with the approval of the Architectural Review Board.
- h. Swimming pools and hot tubs shall be supplied by an independent water source from the Lake Lucerne water system, both for filling and “topping off”.

#### 5.6 Play Structures

No platform, doghouse, playhouse or other structure of any kind or nature shall be constructed on any part of a lot located in front of the rear line of the residence constructed thereon. In reviewing the plans for construction of any such structure(s), The Architectural Review Board may consider the following matters and may require action by the property Owner designed to address each such issue, as a condition for approval:

- a. visibility of such structure from the street and/or immediate neighbors;
- b. The appropriateness of shrubbery around such structure so as to limit visibility by neighbors;
- c. The structure shall be constructed of materials and colors harmonious with the house and the surrounding properties;
- d. The height of any structure built on the ground shall not exceed twelve (12) feet and the top of any structure located in a tree shall not be higher than twenty (20) feet above the average finished grade below the structure;
- e. The size of any such structure shall not be larger than or take up more yard area than one- hundred-twenty (120) square feet;
- f. If any modifications are made to existing play structures, the play structure must be brought into compliance with the above standards.

#### 5.7 Garbage & Trash Containers

No lot shall be used or maintained as a dumping ground for rubbish, trash or other waste, nor shall any resident allow rubbish, trash or other waste to remain on his or her property in the public view for more than seven (7) days. All trash, garbage and other waste containers shall be kept in sanitary containers and, except during pickup, if required to be placed at the curb, all containers shall be kept within an enclosure for purposed of hiding any such containers. All trash containers shall be removed from open view within twenty-four (24) hours of collection by the trash hauler.

#### 5.8 Vehicles

- a. Construction vehicles, such as tractors, dump trucks and similar vehicles may not be stored or allowed to stand except during construction.
- b. Commercial vehicles must be garaged and not stored or allowed to stand within view of the road or sight of neighbors.
- c. Boats and recreational vehicles are prohibited from standing within view of the road or sight of neighbors for more than thirty (30) days within one calendar year. Sailboats of up to fifteen (15) feet, canoes and rowboats registered for use in Lake Lucerne may be stored but must be properly screened.
- d. No automobiles other than automobiles regularly used by the resident may be allowed to stand on the property in open view for a period in excess of thirty (30) days without the written approval of the Architectural Review Board.

## 5.9 Mailboxes

No mailbox or newspaper box or other receptacle of any kind for use in the delivery of mail, newspapers, magazines or similar materials shall be erected on any lot unless and until the size, location, design and type of material for said boxes or receptacles shall have been approved by the Architectural Review Board. The Architectural Review Board shall only allow the construction of such boxes under special circumstances otherwise, construction and placement of such boxes shall be determined by and under the exclusive control of the Lake Lucerne Club Company.

## 5.10 Beekeeping

- a. Beekeeper must abide by Ohio Revised Code, including Chapter 909
- b. Beekeeper may not opt out of the annual inspection by the county or state bee inspector as part of the Ohio Department of Agriculture's inspection program.
- c. Each beekeeper shall ensure that a convenient source of water is available to the colony at all times that bees remain active outside of the hive. The water source shall be closer to the hives than a neighboring source where bees could become a nuisance such as a pool or pet water bowl. The water source may be natural such as a pond, stream, or artificial source.
- d. Setbacks & Locations: No colony shall be kept closer than 10 feet from any lot line or within 30 feet of any roadway. The front of the hive shall face away from the property line of the residential lot closest to the beehive.
- e. Flyway Barrier: In each instance where a colony is kept less than 25 feet from a property line of the lot upon which the apiary is located, as measured from the nearest point on the hive to the property line, the beekeeper shall establish and maintain a flyway barrier at least 6 feet in height. The flyway barrier may consist of dense vegetation such that bees will fly over rather than through the material to reach the colony between the hives and the adjacent lots. If a flyway barrier of dense vegetation is used, the initial planting may be 4 feet in height, so long as the vegetation normally reaches 6 feet in height or higher. The flyway barrier must continue parallel to the apiary lot line for 10 feet in either direction from the hive, or contain the hive or hives in an enclosure at least 6 feet in height. Alternately, locating the hive 8 feet or more above the ground shall also be considered a suitable barrier. Such location must be at least 20 feet from any windows, doors or sidewalks on the adjacent property.

## 6. Approval Process

Prior to building, remodeling, painting, changing, or altering any structure or land, you must first submit plans, specifications, and locations to the ARB and receive written approval before beginning. The plans and specifications will be evaluated for the architectural continuity of external design location, in order to maintain quality construction and property values within The Lake Lucerne Community. All plans and specifications presented to the ARB shall also be evaluated as to harmony of external design and location in relation to surrounding structures and topography and as to conformance with the Architectural Review Standards established by The Lake Lucerne Club Company. A copy of the Standards can be obtained from The Lake Lucerne Club Company or our web site: [www.lakelucerneohio.com](http://www.lakelucerneohio.com).

No addition, improvement or other alteration shall be made to the exterior of any building or structure, located on any lot, unless and until the plans, specifications and location of the same shall have been submitted to, and approved in writing by The Lake Lucerne Club Company.

### 6.1 Summary of Approval Process

The approval process for lot improvements includes:

- a. Optional Concept Meeting & Schematic Design Review –highly suggested for large improvements
- b. Required Plan Submittal Meeting

### 6.2 Concept Meeting & Schematic Design Review

Request for an informal review of a proposed improvement by the board must be submitted to any member of the ARB seven (7) days prior to a scheduled meeting to be considered at said meeting. The review is to offer guidance prior to the initiation of the plan submittal. The request must include:

- a. A scaled sketch that shows the location of the improvement on the lot in order to demonstrate the relationship between the proposed improvement and the existing structures and landscape.

- b. Information regarding the existing site restrictions/easements and history of the site.
- c. Photographs of the existing lot and structures.
- d. Concept design sketches or compiled information that would be supportive of the applicant's design intent

### 6.3 Plan Submittal

Plans and designs for review and approval by the board must be submitted to any member of the ARB seven (7) days prior to a scheduled meeting to be considered at said meeting.

Information required for review consideration includes the following (see Appendix B):

- a. 2 sets of plans, forms and applications are required
- b. A site plan at a maximum of 1:100 showing the locations and area of the proposed addition, the existing residence, and all other buildings or major structures, distances from proposed structures to nearest structures (if any) on adjacent lots, driveway, parking areas, patios, pools, walls, proposed utility service facilities and routes, site grading including existing and proposed contours at five (5) foot intervals, topographic features including existing trees and major shrubs to be retained and relocated, elevations of all building floors, patios, and terraces, shown in relation to site contour elevations
- c. Floor Plans and Roof Plans at 1/8" scale minimum.
- d. Exterior Elevations at 1/8" scale minimum of all sides of the residence at the same scale as the floor plans with both existing and proposed grade lines shown and all exterior materials and general colors indicated; elevations of all parapets and roof ridgelines shall be shown. Architectural plans should be coded to illustrate the finish color of all materials.
- e. Wall sections and details at 1/2 " scale minimum for all areas of new construction proposed. Landscape Plan at same scale as site plan; in addition to site plan information, the Landscape Plan shall include a drainage plan, irrigation plan, proposed landscaping design concepts and trees to be removed.
- f. An Exterior Color Board that illustrates the colors for all houses, outbuildings, trim, roof materials, screens and fences. The sample board should be constructed of samples of the actual materials to be used and are to be submitted to the ARB for approval.
- g. Photographs of the existing lot and structures.
- h. An approximate time schedule indicating approximate dates for starting and completion of construction, utility hook-up, completion of landscaping work, and anticipated occupancy date.

Plans must be approved by a majority of the Architectural Review Board in attendance at any such meeting, and such approval must be in writing, signed by at least two (2) members of the Architectural Review Board in attendance at such meeting. Any changes to an approved design must be submitted to three (3) members of the Board, who if in their opinion believe that such changes materially affect the approved design, may require resubmission of the plans and designs. If the plans and designs are not resubmitted for consideration at the next Architectural Review Board meeting, the board may revoke its earlier approval. For alterations that require zoning approval/variance, (new construction, house/garage expansions, sheds, etc.)

Bainbridge Township **requires that plans be pre-approved by the ARB.** Following ARB approval, applications then can be made to the Bainbridge Township Zoning/Zoning Board of Appeals. Once approved by Bainbridge Township, please submit your zoning permit or variance approval to the ARB for final ARB approval.

### 6.4 Re-submittal of Drawings

In the event of disapproval by the ARB of either a Preliminary or a Final Review, any resubmission of drawings must follow the same procedure as the original submittal.

#### ARB Decisions & Enforcement

All approvals granted by the ARB are subject to a specific review and do not set any precedents for future decisions. The ARB shall have the right to reject designs and to demand that modifications be made and this also as regards the materials and colors used.

Notice of any violation of the Deed Restrictions and/or these standards by a resident will be sent to said resident by the Architectural Review Board. Should the resident fail to correct the violation described

in such notice, the matter will be referred to the Lake Lucerne Club Company Board of Trustees for further action.

#### 6.5 Approval Expiration

If substantial construction has not commenced within a period of twelve (12) months from the date of Final Approval, the ARB may request a re-submission of plans for approval in order to assure compliance with the then existing Guidelines.

#### 6.6 Review by Board

A party aggrieved by a decision of the ARB shall have the right to make a written request to the Board of Trustees of The Lake Lucerne Club Company (P.O. Box 23091, Chagrin Falls, Ohio 44023) within thirty (30) days of such decision, for review thereof. The determination of the Board of Trustees upon reviewing any such decision shall be final and binding upon the parties.

#### 6.7 Failure to follow ARB Approval Process

- a. Homeowners that start projects that involve any change to lot coverage that have not submitted an application to the ARB will be notified and asked to submit an application for the project.
- b. If after a three day period has passed without any communication received by the ARB, homeowners will be sent a second notice. The second notice will state that The ARB will be contacting the Bainbridge Township Zoning department to confirm that the homeowner at least has obtained Township approval.
- c. If after an another additional three day period has passed without a reply back to the ARB, the Township Zoning Department will be notified of the homeowner project.