

HIDE-A-WAY HILLS CLUB

BUILDING CODE

TABLE OF CONTENTS

PREFACE	2
SECTION 100.00 – GENERAL REQUIREMENTS	3
100.01 NUMBER OF STRUCTURES PER LOT OR PARCEL	3
100.02 BUILDING CODE	3
SECTION 200.00 – BUILDING PERMIT APPLICATIONS	3
200.01 PERMIT APPLICATION	3
200.02 NEW DWELLINGS	3
200.03 SITE INSPECTION	4
200.04 LIABILITY INSURANCE	4
200.05 ADDITION AND GARAGE	4
200.06 EXTERIOR REMODELING	4
200.07 COMMENCEMENT WITHOUT PERMIT	4
200.08 INSPECTION PROCEDURES	5
SECTION 300.00 – SITE CONSTRUCTION	5
300.01 PLOT PLAN	5
300.02 DRIVEWAY CONSTRUCTION	5
300.03 OFF ROAD PARKING	5
300.04 SITE LIGHTING	5
300.05 GEOTHERMAL HEATING AND COOLING SYSTEMS	5
300.06 PLACEMENT OF GAS STORAGE BOTTLES	5
SECTION 400.00 – BOAT MOORING, WHARFS, DECKS IN OR NEAR LAKES	6
400.01 WHARF SHORELINE RESTRICTIONS	6
400.02 WHARF SIZE.....	6
400.03 FLOATING WHARF	6
400.04 COVERED WHARFS	6
400.05 WHARF APPURTENANCES	6
400.06 NUMBER OF WHARFS PERMITTED	6
400.07 BUILDING PERMIT FOR WHARFS AND RECREATIONAL DECKS	6
400.08 TREATED WOOD	6
400.09 BOAT MOORINGS	6
SECTION 500.00 – LAKE FRONT CONSTRUCTION	6
500.01 SHORELINE EROSION PROTECTION	6
500.02 PREFERRED MATERIALS	6
500.03 ALTERNATE METHODS	7
SECTION 600.00 – SPECIAL CONSTRUCTION	7
600.01 DEMOLITION	7
600.02 SATELLITE RECEIVING DISHES	7
600.03 MODULAR HOUSING AND STRUCTURES	7
600.04 VARIANCES	7
SECTION 700.00 – DEFINITIONS	8

HIDE-A-WAY HILLS CLUB BUILDING CODE

PREFACE

Pursuant to Article V Section 4 of the General Code of Regulations of Hide-A-Way Hills Club, the Architectural Control Committee, herein after referred to as the "Committee", shall administer this code for all construction within Hide-A-Way Hills.

It shall be the intention of this code to regulate building through a review and approval process of all permits and the periodic inspection of construction permits within Hide-A-Way Hills to maintain the natural beauty of the Hills, protect lakes, streams, wildlife and wooded areas, and that all projects blend well and are aesthetically pleasing with the environment, yet enhance the property values of the members and Hide-A-Way Hills as a community. It shall not be the intention of this code to restrict the rights of individual members of the free use of their property pursuant to all deed restrictions. It shall be the policy of the Hide-A-Way Hills Club that all regulations established by this code will be to the benefit of all members of Hide-A-Way Hills Club. These regulations shall not deprive a member of the full and beneficial use of their property or prevent the managed growth of Hide-A-Way Hills Club as a residential and recreational community.

The rules and regulations set forth in this code shall be administered for the benefit and protection of all individual members and the community of Hide-A-Way Hills in general. The Committee shall, in the review and approval process of all projects proposed for Hide-A-Way Hills, insure that an aesthetically pleasing appearance is maintained.

It shall be the responsibility of the member to secure all permits and comply with all local, county, state and federal building codes and to insure the structural integrity of his or her completed project. The Committee, the Board of Trustees or the Hide-A-Way Hills Club shall not be held liable for any failure, imagined or actual.

It is the responsibility of the member to familiarize him or herself with all applicable provisions of this code with particular attention to insurance requirements and entry requirements to Hide-A-Way Hills by non-members for purposes of executing work on his or her building project. Non-member workers, subcontractors or others involved in the construction project will not be permitted entry to Hide-A-Way Hills without proper proof of insurance as set forth in this code.

HIDE-A-WAY HILLS CLUB BUILDING CODE

SECTION 100.00 – GENERAL REQUIREMENTS

- 100.01 NUMBERS OF STRUCTURES PER LOT OR PARCEL** – No lot or parcel within Hide-A-Way Hills shall be used for other than residential purposes and may have no more than two structures thereon. The primary structure shall be a single-family dwelling and the secondary structure may be a detached garage. An attached garage and house shall consist of a common foundation, wall and roof structure. Only one detached garage or storage facility is permitted per lot or parcel.
- 100.02 BUILDING CODE** – The Ohio Building Code and all other applicable codes shall govern all construction in Hide-A-Way Hills Club. No provision, contained in the Hide-A-Way Hills Club Building Code, shall violate any provision in any Building Code. When an item(s) is not addressed in the Hide-A-Way Hills Club Building Code, the Ohio Building Code shall take precedence.

SECTION 200.00 – BUILDING PERMIT APPLICATIONS

- 200.01 PERMIT APPLICATION** – The member must complete a permit application and submit two (2) sets of construction documents showing plot plans, floor plans, elevations, and all necessary information to be reviewed by the Committee seven (7) days prior to the ACC meeting to the office. Member is encouraged to attend the Committee meeting with their builder to respond to Committee inquiries.

The building plans of a new structure, addition or garage shall consist of:

- 1) Scaled and dimensioned floor plan for each level
- 2) Scaled and dimensioned exterior elevations and building sections showing exterior finish materials and colors
- 3) Scaled and dimensioned foundation plans showing any elevation change, proposed material and typical cross-section showing all foundation configurations
- 4) Roof framing plans indicating roof pitch and construction

- 200.02 NEW DWELLINGS** – A Building Permit shall be required for all new dwellings. New dwellings should contain 1,500 square foot of living space excluding porches and decks. The member shall furnish building plans (200.01) and site plans (300.01) prepared or reviewed by a registered design professional, registered in the state of Ohio or a certified plans examiner. The fee for Building Permits for new dwellings is \$500.00 and is valid for six (6) months with one six (6) month extension granted at the discretion of the General Manager. The fine for non-completion is as follows: \$100.00 per month for up to six (6) months until the project is completed and \$500 per month thereafter until construction is completed and a Certificate of Occupancy issued. Hide-A-Way Hills Club Inspector, Committee members, Security personnel and the General Manager shall have access to the building/construction site at all times. To deny access will result in a \$500.00 fine and work stoppage. All changes, additions or deviations from the approved plans must be resubmitted and approved by the Committee prior to commencing of work. All structures located on any parcel shall be finished in the same material as the primary structure or as approved by ACC.

A) ACCEPTABLE SIDING MATERIALS

- 1) Wood (cedar, etc.), brick and stone exteriors that blend with the wooded environment are recommended.
- 2) Vinyl siding and earth tone paints are accepted.

- B) ACCEPTABLE ROOFING MATERIALS** – Shall be earth tone colors that blend with the wooded environment; Fiberglass shingles, architectural metal, tile (clay or aluminum). Membrane roofing is permitted on less than 3 in 12 pitch for replacement roofing only.

HIDE-A-WAY HILLS CLUB BUILDING CODE

C) **ARCHITECTURAL FEATURES** – Architectural features and embellishments shall be approved by the Committee for aesthetics only.

- 1) Roof slopes shall be a minimum 4 in 12 slope.
- 2) Rakes shall be a minimum 6” with a minimum 12” eave overhang.
- 3) Porch roofing, bay or bow window roofing, etc. may be permitted to be a different material than the structure if it is aesthetically pleasing and is approved by the Committee.

200.03 SITE INSPECTION – The member or his contractor shall stake the locations of all proposed improvements set forth on the plot plan and mark all trees to be removed. The permitted removal of trees are those that are within the proposed footprint and a ten foot perimeter around all structures and drives. After the site inspection by Hide-A-Way Hills Inspector, the Committee shall review the submitted materials for compliance to the Hide-A-Way Hills Club Building Code. Construction may not commence until approval has been obtained from the Committee. The fine for any clean up and damage will be the actual costs as determined by Hide-A-Way Hills Club and the penalty will be equal to the actual cost of clean up and repair.

200.04 LIABILITY INSURANCE – Proof of liability insurance in the amount of at least \$1,000,000.00 must be provided by the general contractor, or the member if acting as Contractor. Such insurance shall make assignment to the Hide-A-Way Hills Club and shall include coverage of all subcontractors which the General Contractor, listed on the permit, will contract with for the execution of work on the project.

200.05 ADDITION OR GARAGE – For an addition or a garage, the member shall furnish building and site plans drawn to scale with spot elevations and showing all existing structures. The maximum garage size for a house with a footprint under 900 square feet shall be 900 square feet of floor area and for a house with a footprint over 900 square feet the maximum garage size shall be 1,200 square feet of floor area. The maximum eave height for a garage shall be nine feet measured from the finished floor to the bottom of the eave. An addition over 350 square feet shall fall under the requirements for new construction. Building permit for an addition or a garage is \$200.00 and is valid for six (6) months only. The fine for non-completion is as follows: \$100.00 per month for up to six (6) months until the project is completed and \$500.00 per month thereafter until construction is completed and a certificate of occupancy issued. All changes, additions or deviations from the approved plans must be resubmitted and approved by the Committee prior to commencing of work. All structures located on any parcel shall be finished in the same material as the primary structure or as approved by ACC.

200.06 EXTERIOR REMODELING – All exterior remodeling, major repairs, and exterior color must conform to the Hide-A-Way Hills Club Building Code. All fences shall be subject to approval by the Committee prior to installation. The member shall submit a scaled plot plan showing proposed fence location and must include verifiable distances from any structures, property lines and easements and drawn in accordance with an accurate boundary line survey. No chain link type shall be visible from roadways at any time. Permits are required for fences and fee is \$50.00.

200.07 COMMENCEMENT WITHOUT PERMIT – No construction within Hide-A-Way Hills requiring a Building Permit as defined by this code may commence without first obtaining a valid Hide-A-Way Hills Building Permit. The fine for commencement without a permit is equal to the required permit fee plus owner must apply and pay for permit before construction can commence.

HIDE-A-WAY HILLS CLUB BUILDING CODE

200.08 INSPECTION PROCEDURES – The Committee shall establish an inspection record form which will be issued, in duplicate, with all building permits, one copy of which is to be posted in a prominent location at the building site. Said inspections shall include, but are not limited to:

- 1) Foundation Inspection – To be performed after excavation and form placement and prior to concrete placement to verify that the placement conforms and matches the approved plan.
- 2) Framing Inspection – To be performed at completion of framing to verify that the building conforms and matches the approved plans.
- 3) Final Inspection – To be performed after completion of the project.
- 4) The Committee or their Agent will review the construction site to verify all Hide-A-Way Hills Club Building Codes are met and that all construction conforms to the submitted plans.
- 5) Certificate of Occupancy will be issued when all construction is complete, all utilities are in working order and all plumbing has been inspected and approved by the County Health District.

SECTION 300.00 – SITE CONSTRUCTION

300.01 PLOT PLAN – For new construction or additions, the member shall furnish a survey with spot elevations indicating the location and dimensions of the proposed grades. The plans must include verifiable distance from the proposed structure to platted roadways, property lines and easements and establish the proposed finished grade and shall be drawn in accordance with an accurate boundary line survey. In case of demolition, the site plan shall show construction to be demolished and the location and extent of existing structures that are to remain on the site. All structures must be located at least 25 feet from the front lot line or 40 feet from the center of all roadways, whichever is greater, and located a minimum of 10 feet from each side lot line. No structure shall be placed on any easement.

300.02 DRIVEWAY CONSTRUCTION – A Building Permit shall be required for all Driveway and Parking Area Construction. For purposes of this code, Driveway Construction shall be defined as any construction or earth moving for the purpose of establishing a means of ingress or egress onto any platted roadway within Hide-A-Way Hills. Driveway run-off shall not encroach onto Hide-A-Way Hills roadways. Hide-A-Way Hills Club will determine culvert size. No member shall construct or allow to be constructed on their lot or lots, any vehicular access to any public roads. The fee for Driveway permits is \$250.00 and is valid for six (6) months. If new construction is commenced within twelve (12) months, fee is applied to New Dwelling fee.

300.03 OFF ROAD PARKING – No new structure may proceed on any lot without first providing a minimum of five hundred (500) square feet off road parking spaces accessible at all times. Off road parking spaces shall have the same permit requirements as Driveways.

300.04 SITE LIGHTING – Exterior lighting for security and/or other uses must be directed towards the ground and house whereby the light cone stays within the property boundaries and the light source does not cause glare to other homeowners.

300.05 GEOTHERMAL HEATING AND COOLING SYSTEMS – No open geothermal systems are allowed. Closed systems will be reviewed on a case by case basis.

300.06 PLACEMENT OF GAS STORAGE BOTTLES – All existing and new fuel storage containers shall be placed in such a location so as not to be seen from any common road or from neighboring property. If this is not possible, then a suitable screen shall be installed.

**HIDE-A-WAY HILLS CLUB
BUILDING CODE**

SECTION 400.00 – BOAT MOORINGS, WHARFS, DECKS IN OR NEAR THE LAKES

- 400.01 WHARF SHORELINE RESTRICTIONS** – No wharf shall extend from the shoreline more than 18 feet. In some instances, as determined by the General Manager, this distance may be reduced for reasons of safety.
- 400.02 WHARF SIZE** – No wharf shall exceed three hundred (300) square feet in area, measured from the shoreline extending over the surface of the water.
- 400.03 FLOATING WHARF** – Floating wharfs shall be permitted. All flotation materials used in the construction of a floating wharf shall be approved by the manufacturer for marine use. Requests for permits for the construction of a floating wharf shall be accompanied by the manufacturer's cut sheet for the flotation material that will be used.
- 400.04 COVERED WHARFS** – A wharf may be covered by a permanent roof for the purpose of shedding the elements. No sides will be permitted to enclose a wharf.
- 400.05 WHARF APPURTENANCES** – A storage locker not to exceed 72 cubic feet may be constructed upon a wharf. No storage enclosure shall be used for living or sanitary purposes.
- 400.06 NUMBER OF WHARFS PERMITTED** – One wharf shall be permitted for each fully assessed lakefront lot. If a member owns multiple, adjacent lakefront lots, only one wharf shall be permitted.
- 400.07 BUILDING PERMITS FOR WHARFS AND RECREATIONAL DECKS** – Building Permits are required. A wharf to be constructed with a recreational deck for purposes of this code shall be constructed under a single building permit. A recreational deck shall not extend beyond the shoreline. Building Permits shall be required for all miscellaneous construction. For the purposes of this code miscellaneous construction shall be defined as, but not limited to: dredging, sea walls, wharfs, recreational decks, car ports. Miscellaneous construction permits are \$100.00 and shall be valid for six (6) months.
- 400.08 TREATED WOOD** – Any wood used in any construction which comes in contact with the ground or is used in the construction of any structure in or over a body of water shall be pressure treated per Standard Specifications for Pressure Treatment of Timber Products.
- 400.09 BOAT MOORINGS** – Lot owners with lake side property shall be permitted to build an approved wharf and recreational deck on their shoreline as set forth in this code.

SECTION 500.00 LAKE FRONT CONSTRUCTION

- 500.01 SHORELINE EROSION PROTECTION** – It is the intention of this regulation to protect the lake shorelines in Hide-A-Way Hills from unnecessary erosion caused by wave action and to regulate the aesthetic appearance of the shoreline by establishing a standardized erosion control method.
- 500.02 PREFERRED MATERIALS** – The preferred material and method for the construction of sea walls shall be riprap as set forth in O.D.O.T. Construction and Material Specifications. The General Manager shall determine approved methods, for the placement of the specified material, with the assistance of the Committee.

HIDE-A-WAY HILLS CLUB BUILDING CODE

500.03 ALTERNATE METHODS – Alternate sea wall systems may be submitted to the office of the General Manager for review by the Committee. All sea walls constructed upon any shoreline within Hide-A-Way Hills shall require an approved Hide-A-Way Hills Building Permit, prior to the commencement of construction.

SECTION 600.00 – SPECIAL CONSTRUCTION

600.01 DEMOLITION – All demolition of structures within Hide-A-Way Hills shall require a permit and final inspection for clean up. The permit fee is \$1,000 and is refundable. Refund of permit fee is obtained after final inspection for clean-up has been approved. Demolition must be completed within six months.

600.02 SATELLITE RECEIVING DISHES – No satellite dish may be installed in Hide-A-Way Hills that is larger than 36 inches in diameter and shall be placed at least 25 feet from the front lot line or 40 feet from the center of all roadways whichever is greater. No satellite dish shall be placed on any easement.

600.03 MOBILE HOUSING AND STRUCTURES – No Mobile Home or like residential structure including, but not limited to, metal or temporary car ports may be erected within Hide-A-Way Hills.

600.04 VARIANCES – The procedure to obtain a variance to the Hide-A-Way Hills Club Building Code shall be established by the ACC. After submitting all necessary materials, and receiving approval of the ACC, any member wishing to apply for a variance must apply for it from the Board of Trustees. The Board of Trustees may neither grant, nor condone, any variance that is contrary to the purpose or intent of any Deed Restriction applicable to lots or parcels of the Hide-A-Way Hills Subdivision. The variance procedures shall entail, at a minimum but not be limited to, the following:

- 1) Application with the Hide-A-Way Hills Club Office. The General Manager, upon receipt of said Building Permit Fees, Schedule I of this Code, shall notify all adjacent lot owners via registered mail of the request for a code variance and the nature of the project involved. Adjacent lots shall be defined as member lots bordering the property or properties, or within sight of the property or properties for which the variance was requested excluding roadways and easements. Said notification application, project approval from ACC, and payment of all fees as established in Section 300.20, shall briefly explain the scope of said variance and list dates of hearings for the purpose of airing member responses.
- 2) The General Manager shall place, in two consecutive issues of the ECHO, an advertisement of said request for a variance of the Hide-A-Way Hills Building Code. Such advertisement shall contain the same information as outlined in paragraph 1.
- 3) The Board of Trustees shall conduct open hearings, for the purpose of airing any member comments, and to inform the Board of any pertinent details regarding the requested variance. Said hearings shall be at the two regular Board meetings immediately following the respective required advertisements. Any comments regarding the variance directed to the Board in writing, and received prior to an open hearing, shall be read aloud at said hearings. The Board shall rule, by majority vote, and prior to adjournment of the last applicable meeting, as to the acceptance or rejection of the request for variance. This action by the Board is final. Failure to act as stated on the part of the Board shall constitute an acceptance of the stated variance.

**HIDE-A-WAY HILLS CLUB
BUILDING CODE**

SECTION 700.00 – DEFINITIONS

All words used in this chapter shall have their customary meanings as defined in WEBSTER'S NEW WORLD DICTIONARY, except those specifically defined in this section.

BUILDING, ACCESSORY – A use or structure incidental to and located on the same lot with, and of a nature customarily incidental and subordinate to, the principal use or structure.

BUILDING, MAIN – A structure in which is conducted the principal use of the lot on which it is located.

BUILDING SETBACK – The horizontal distance, from the point of measurement to the nearest building wall.

CONTRACTOR – Individual, owner or company listed as “contractor” on the application must be or have representations on premises during construction. No representative on site at time of work will be cause for halting project.

DWELLING UNIT – A building arranged, intended, or designed as a habitable unit, containing kitchen, bath and sleeping facilities.

EARTH-TONE – Any of various rich colors containing some brown.

FLOOR AREA – The sum of the gross horizontal areas of the several floors, including basements, of a building measured from the exterior faces of the exterior walls and provided for the purpose of determining compliance with the permitted floor area.

GARAGE, PRIVATE – An accessory building, structure or portions of a principal building for the parking or temporary storage of motor vehicles of the occupants of the premises.

HEIGHT, BUILDING – The vertical distance measured from the average ground elevation at the building wall to the highest horizontal point of the structure.

LAKE DREDGING – For purposes of this code, dredging shall be defined as the removal of earthen material, by whatever means, from any location that will result in a net increase in the volume of water of any lake within Hide-a-Way Hills.

LOT OF RECORD – A lot which the plat has been recorded in the office of the County Recorder of the County in which the lot or parcel of land is located.

LOT LINE – Any boundary of a lot.

MEMBER – A person, persons or entity that holds title to land.

MOBILE HOME – Any non self-propelled vehicle transportable in one or more sections and which is built on a permanent chassis and designed to be used as a dwelling with or without permanent foundation when connected to the required utilities, and includes the plumbing, heating, air conditioning, and electrical systems contained therein.

PARCEL – Any number of adjacent lots where said lots have been forever joined as one inseparable parcel of land and duly recorded as such with the appropriate recording agency in the county of jurisdiction.

HIDE-A-WAY HILLS CLUB BUILDING CODE

PORCH – A roofed open structure projecting from the front, side or rear wall of the building.

SHORELINE – The shoreline shall be the mean point at which the land contacts the surface of the lake when the water level is at average summer elevations.

SEA WALL – Shoreline erosion protection.

STORY – A room or set of rooms on one floor level of a building.

STRUCTURE – Anything constructed or erected with a fixed location on the ground, or attached to something having a fixed location on the ground, and includes buildings, decks, and fences.

USE – The specific purpose for which land or building is designed, arranged, intended, or for which it is or may be occupied or maintained.

USE, ACCESSORY – A use which is customarily incidental and subordinate to the principal use of a lot or building and located on the same lot.

USE, NON-CONFORMING – Use of a building or of land that does not conform to the regulations as to the use for which it is situated.

VARIANCE – A non-conformance to the Hide-A-Way Hills Building Code, granted by the Board of Trustees, where by reason of exceptional narrowness, shallowness, shape, topography, or other extraordinary or exceptional situation, condition or circumstance of a particular property, the literal enforcement of the Code restriction would result in unnecessary hardship. Any member wishing to apply for a variance must apply for it from the Board of Trustees.

WHARF – A “wharf” as used in these regulations shall be defined as a structure built alongside or into a waterway so that watercraft may be moored alongside to load or unload or to lie at rest.