

Lakefront Beaches / Seawall Improvement Submission

Name: _____

Address: _____

Lot #: _____ Phone number _____

Requirements:

Following information must be included:

- **Purpose letter** - Describing your project
- Plot map showing location of improvement and shoreline elevation 1507'
- The owner of a lakeshore property lot may not infringe beyond the shoreline (1507' elevation)
- Sand, earth, or clay may **NOT** be placed in the lake under any circumstance.
- Will this location/project infringe on neighboring views? Yes _____ No _____
- Diagram of project including measurements and list of materials.
- Height of seawall (4' from footings, may require county permit) _____
- An attractive facing must be incorporated on any portion of the seawall that is visible above HHWM.
- Rip rap may extend into the lake the distance necessary to establish a minimum 2:1 slope.
- Rip rap may protrude a maximum of one foot above the water surface at HHWM, and materials chosen must be such that it will not erode or be washed into the lake by wave action.
- Distance to side property line _____
- Distance to rear property line _____ (or shoreline 1507')
- When deemed appropriate, the ECC may seek the recommendations of the Lake Committee prior to rendering a decision.

_____ ECC Fees	Plan Check	\$100.00
	Performance deposit	\$100.00 (Refundable when completed)
	Road Impact	<u>\$100.00</u>
		\$300.00 Total

_____ **Right of Entry to review project location, and agree to allow EC and ECC to view site with prior notice (if necessary).**

I/we have read and initialed the above and agree to abide by **ALL** requirements as stated.

_____ Date _____ Date _____

OFFICE USE ONLY --Variance required : Yes _____ No _____ Variance form completed? Yes _____ No _____
Meets Standards; Yes _____ No _____ Send to Lake Committee? Yes _____ No _____

Overview

The following items are required when submitting plans to the ECC. Failure to supply required information will delay the approval process. All plans must be submitted by the lot owner or have written authorization from the owner. **Please review and initial the Environmental Standards for detailed requirements for this specific project prior to submitting plans.**

2.09 Fees and Deposits (Article V – Section 8)

Plan submittals must be accompanied by the applicable fees and deposits shown in the attached “Appendix A”. Please check with the EC office for an updated version.

All fees and deposits will be paid by the owner, or in the owner’s name. Fees are normally non-refundable. However, if construction is cancelled within one (1) year, all but the actual costs incurred by the Association will be refunded. Deposits may be refunded in whole or in part, depending on compliance with the Environmental Standards and satisfactory sign-off of EC final inspection. Deposits not claimed shall be processed in accordance with the Association Accounting Procedures.

2.10 Modification to Approved Plans

Any request for modifications or changes to previously approved plans must be submitted to the ECC and receive approval prior to the start of work.

4.00 Lake Front Improvements (Environmental Standards)

ECC approval is required before any structures can be built, or any material deposited or placed into the lake or on the lakeshore, or in a position where it could be washed or pushed into the lake. Any proposed form of dredging, digging or moving of sediment on the shoreline or in the lake also requires ECC approval. Besides the criteria listed in this section, any and all structures placed near the shoreline or on the lake will be subject to ECC review for its visual impact on neighboring properties. All submissions to the ECC or decisions of the ECC, pursuant to Section 4.07, 4.09, 4.10, and 4.11, will be copied to the Chairman of the LOP Lake Committee. When deemed appropriate, the ECC may seek the recommendations of the Lake Committee prior to rendering a decision.

4.07 Beaches, Shoreline Preparation and Lake Access

The following rules are for lakeshore residents interested in constructing beaches or pedestrian lake access between their house and the lake.

- (a) The owner of a lakeshore lot may not infringe beyond the shoreline (1507 foot spillway elevation).
- (b) Written approval from the ECC is required before any material can be deposited or placed in the lake, or on the lakeshore in a position where it could be washed or pushed into the lake. This includes any form of dredging, digging or moving of sediment on the shoreline or in the lake.
- (c) Since each property is different, methods that work well on one lot may not be effective on another. The following are some examples of beach stabilization, but all need ECC approval.
 - 1. A seawall may be built to prevent shoreline erosion and a beach may be developed between the house and the seawall. (See section 4.11 for information pertaining to Seawalls).
 - 2. Steeply angled waterfront lots are difficult to modify into a beach because winter rains can wash sand into the lake. The beach angle must be as horizontal as possible, and it may be necessary to construct a berm or French drain around the upper side of the beach to divert storm water. If ECC deems it necessary, they may

require the lot owner to hire a licensed Civil Engineer to aid in the design of appropriate beach or lakeshore access that will still effectively prevent erosion.

4.08 Earthen Shorelines

- (a) Earthen shorelines with gradual slopes may be protected by planting certain species of water tolerant plants over special netting.
- (b) Moderate slopes may need shoreline protection with the use of boulders or large rocks interspersed with smaller rocks.
- (c) Steep slopes may necessitate the need for a seawall. (see section 4.11)

4.09 Lake Access

All homeowner access into the lake must be submitted to and approved by the ECC prior to construction. Methods of providing pedestrian access to the lake that work on one lot may not be appropriate for another. Access to the lake may include concrete steps or paths, a notched seawall, or other alternatives.

4.10 Reclamation of Eroded Property

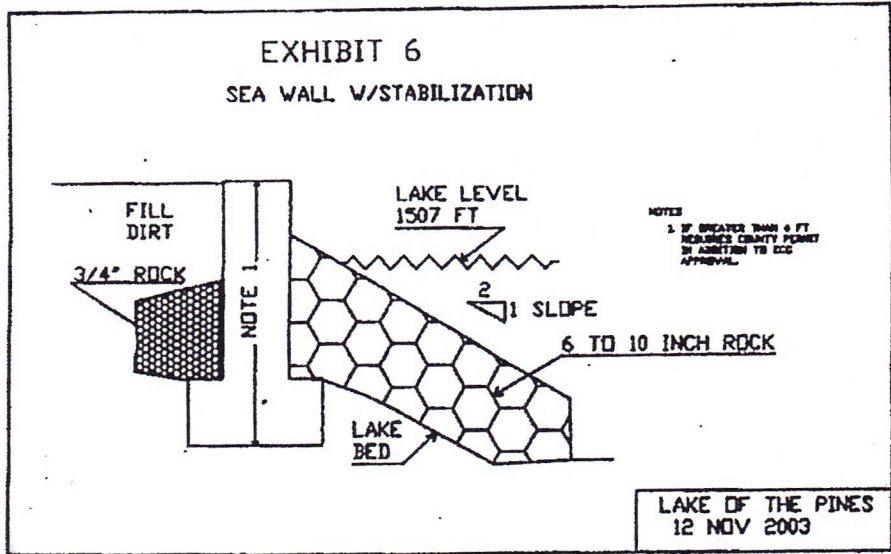
Some lakeshore properties may have had erosion, the exact extent of which may be difficult to determine. If a lakefront property owner desires to reclaim lost property due to erosion, the owner is required to demonstrate where "the original shoreline was" or "where it would be at the HHWM of 1507.0 feet". This may be done by various means but must meet the satisfaction of the Association. The owner may enlist the services of an approved engineering service such as Holdrege & Kull, to estimate the HHWM.

4.11 Seawalls and Retaining Walls

Plans for any seawall or retaining wall must be submitted to, and approved by the ECC, prior to the start of construction. Each property is different and may require different design considerations. Seawalls may be built of concrete, concrete blocks, bricks, slump stone, or any other suitable material. An attractive facing must be incorporated on any portion of the seawall that is visible above the HHWM.

The lakeside of the seawall must not protrude past the HHWM.

Upon new construction or reconstruction of existing seawalls, ECC may require that the seawall be stabilized with concrete footings, boulders and rocks, or other suitable materials. The ECC may consider recommendations from the Lake Committee prior to approving any seawall or riprap plans. In any case, any material placed in the lake must first receive ECC approval. Riprap may extend into the lake the distance necessary to establish a minimum 2:1 slope. The riprap may protrude a maximum of one (1) foot above the water surface at HHWM, and the material chosen must be such that it will not erode or be washed into the lake by wave action. Sand, earth, or clay may not be placed in the lake under any circumstance. *4 foot maximum height without County permit and engineering.



_____ Please initial you have read and understand above information.

CC&R's Article VIII Section 5

Additional Restrictions Applicable to Lake Frontage lots; Any Lot which borders the shores of any lake located within the Common Areas of Lake of the Pines shall be subject to the following additional restrictions;

- (a) **Right to Dredge**; The Association, its successors and assigns, shall have the right at any time to dredge or otherwise remove any accretion or deposit from any Lot in order that the shoreline of any of the Common Area lakes to which such Lot is contiguous may be moved toward or to, but not inland beyond, the location of said shoreline as it would be established on the date herein if the water elevation in such lake were at the normal maximum water level as indicated in the recorded Subdivision Map in which the Lot is located and title shall pass with such dredging or other removal as by erosion.
- (b) **Absence of Liability**, Neither the Association nor any of its successor or assigns shall be liable for damages caused by erosion, washing or other action of the water of any lake within the boundaries of Lake of the Pines.
- (c) **Right to Regulate Level of Lake**; The Association reserves to itself, its successors and assigns, the right to raise and lower the water level of any lake within the boundaries of Lake of the Pines; provided, however, that such right shall not be construed as permitting the elevation of the water level to a point beyond that indicated on the recorded Subdivision Maps for the Units containing the lake or any portion thereof, by increasing the height of any dam or spill or otherwise.

_____ Please initial you have read and understand the above information.

CC&Rs Article V Architectural and Environmental Control:

Section 15. Limitation on Liability. Neither the Association, nor the Board or the Environmental Control Committee or any member thereof, shall be liable to any Owner for any damage, loss or prejudice suffered or claimed on account of any mistakes in judgment, negligence or nonfeasance arising out of (a) the approval or disapproval of any plans, drawings and specifications, whether or not defective; (b) the construction or performance of any work, whether or not pursuant to approved plans, drawings or specifications; (c) the development of any Lot within Lake of the Pines; or (d) the execution and filing of a Notice of Noncompliance pursuant to section 13, above, or a Compliance Certificate pursuant to section 14, above, whether or not the facts therein.