



Property Owner's Association

Builder's and Contractor's Guide

This document contains all Hidden Valley Lake Property Owner's Association's rules and regulations found in the HVL POA By-laws that pertain to the activities of builders, contractors, landscapers and general property maintenance work. The HVL POA requests your cooperation in adherence to these rules and regulations. Regularly-scheduled and random inspections shall be done while this type of work is in progress and violating the *Builder's and Contractor's Guide* rules and regulations can lead to one or more of:

- 1) Stop orders issued against the work.
- 2) Fines levied by the POA.
- 3) Orders to remove all or part of the improvements that have been completed.

This Guide also provides information regarding the types of work that require prior HVL POA approval and how to gain that approval. If you have any doubt about the requirements for approval for your planned work, you are encouraged to contact the HVL POA office for advice.

The most current version of this document and the *Before You Build, Landscape or Improve Your Property* document are also available on the HVL POA Web site.

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Part 1 – General Rules and Regulations

Section 101. Vehicle Use and Parking

- A) The posted speed limit in HVL is 25 mph. The speed limit at the Sports Complex is 15 mph. The speed limit at the pool from Memorial Day to Labor Day is 15 mph between the hours of 8:00 a.m. and midnight.
- B) A road moratorium on all construction within Hidden Valley Lake is in force from January 31st through March 31st. Due to weather conditions, the HVL POA Board of Directors may change the dates.
- C) At any time, it shall be a violation of HVL rules to permit any motor vehicle to be parked or to stand in any of the following places, except when necessary to avoid conflict with any other traffic or in compliance with the directions of a policeman, HVL Deputy or traffic control devices:
- a. Within twenty (20) feet of any intersection or crosswalk.
 - b. Other than parallel with the edge of the pavement and in the direction of traffic.
 - c. To reduce the usable width of the street or roadway for moving traffic to less than eighteen (18) feet with the exception of vehicles being loaded or unloaded.
 - d. To cause in any way a hazardous condition for moving traffic or pedestrians.
 - e. Within fifteen (15) feet of a fire hydrant.
 - f. Anyplace where the vehicle would block the use of a driveway or mailbox.
 - g. On any sidewalk.
 - h. At any place where official signs prohibit parking.
 - i. On streets during a snow removal period. Vehicles should be parked in a driveway and not on the street.
- D) Any motorized vehicle, boat, trailer, camper, or any other type of private recreational or commercial vehicle without proper safety reflectors must be removed from HVL streets, roadways, and/or parking areas by sunset each day. All violators will be subject to towing.
- E) Any unlicensed motorized vehicle, boat, trailer, camper, or any other type of private recreational or commercial vehicle must be removed from HVL streets, roadways, private property and/or parking areas. All violators will be subject to towing.
- F) The parking of concrete trucks at or near the construction site shall be limited to two vehicles – one actively unloading and one staged. The concrete truck being staged shall be parked within thirty-five (35) feet of the construction site. If additional concrete trucks for the construction site are on HVL premises, they shall be staged at the main entrance pull-off area, space permitting. Any concrete pumper truck needed for construction shall be positioned completely off the roadway while in use. Requests for exceptions to this rule shall be submitted in writing to the HVL POA Community Manager. If the exceptions are approved, they shall be sent by the HVL POA office in writing to the person requesting them. This policy shall be strictly enforced and violators are subject to assessment.
- G) It shall be a violation of HVL rules to drive any truck over eight thousand (8,000) pounds gross vehicle weight on any HVL street, roadway and/or parking area so marked. However, trucks may use such streets, roadways, and/or parking areas for the purpose of making deliveries or picking up materials or merchandise but only by entering such street, roadway, and/or parking area at the intersection nearest the destination of the vehicle and proceeding thereon no farther than the nearest intersection thereafter.

- H) All truck loads shall carry a weight slip for verification. Trucks are subject to being stopped by HVL POA Deputies.

Section 102. Noise

- A) All construction and construction delivery noise is prohibited before 7:00 a.m. and after 7:00 p.m. or sunset (whichever comes first) on weekdays and not before 8:00 a.m. on weekends and holidays. Roofers with written permission from the HVL POA Community Manager, or in his absence a designated representative, may start at 6:00 a.m., weekdays only, during the months of July and August.

Section 103. Waste Disposal

- A) The Builder/Owner shall conform to the provisions of erosion control as prescribed by the Indiana Storm Water Quality Manual. All lake lots shall have two (2) rows of silt fence in place, on the lake side, from lot line to lot line, for the duration of construction. All other lots shall have one (1) row of silt fence in place, in ditch line/ culvert area or rear area, from lot line to lot line (around corner on corner lots) for the duration of construction.
- B) Discharging untreated waste on any property within HVL or into any lake located in HVL is prohibited. No individual septic tanks shall be allowed on any HVL property.
- C) Burning on private property is prohibited unless a non-combustible container is used.
- D) Fires must be attended at all times and until completely extinguished.
- E) A fire shall be extinguished if at any time it creates a:
- a. Pollution problem.
 - b. Threat to public health.
 - c. Nuisance.
 - d. Fire hazard.
- F) No burning shall be conducted during unfavorable meteorological conditions such as any of the following:
- a. High winds.
 - b. Temperature inversions.
 - c. Air stagnation.
 - d. When a pollution alert or air quality action day has been declared.
- G) All burning shall comply with other federal, state, and local laws, rules, and ordinances.
- H) Adequate firefighting equipment shall be on-site for extinguishing purposes during burning times.
- I) Burning shall be conducted during daylight hours only, and all fires shall be extinguished before sunset.
- J) Fires must be no less than 30 feet away from a structure.
- K) All burning shall be conducted in such a manner so as to prevent any possibility of soil contamination.
- L) Only clean wood products may be burned. Clean wood products means wood products, including vegetation, that are not coated with stain, paint, glue or other coating material.

- M) Discarding or discharging of any waste material including, but not limited to organic yard waste such as leaves, grass, brush, etc. into HVL POA lakes is prohibited.
- N) No person shall litter on community property within HVL.
- O) HVL dumpsters are for HVL POA use only.
- P) It shall be a violation of HVL rules to deposit, permit to be deposited or permit to fall from any vehicle any garbage, refuse or natural debris upon any private property or community property within HVL. This provision shall not be construed to prohibit the placing of garbage, refuse and natural debris in a container, or to prohibit the placing of natural debris and refuse too bulky to place in a container, on or immediately adjacent to a street preparatory to having such material collected and disposed of by the authorized company.

Section 104. Use of Utilities

- A) It is neither permitted, nor allowed, for any builder, contractor or subcontractor to use any utilities from any of the neighboring properties for their construction project(s), or any other related use, without the express written permission of the neighboring property owner in advance of such use. A copy of the written permission shall be given to the HVL POA office before these utilities can be used. Any violation of this rule shall be cited by the HVL POA on first occurrence and referred to the Dearborn County Sheriff's Department for citation and prosecution for any subsequent infringement.

Section 105. Use of Personal Property

- A) No person shall trespass on the land or premises of another or fail or refuse to leave upon being notified to do so by the owner or occupant.
- B) Removing or altering the location of any construction stakes and/or utility flags within the limits of Hidden Valley Lake is prohibited. If removing or altering the location of the stakes and/or utility flags results in either having the property re-surveyed or loss of a utility to an HVL resident, the property owner shall be responsible for the violation and shall be liable for all costs involved as a result of their actions.

Section 106. Use of Community Property

- A) Nailing or screwing building permits to trees on community property within HVL is prohibited.
- B) Community property within HVL shall be cleared daily of all mud and debris created by construction activities by the end of the workday.
- C) Burning on community property within HVL is prohibited without the use of a non-combustible container and a permit from the HVL POA Board of Directors.
- D) All "Builder" signs shall be removed thirty (30) days after the performance bond is approved for return. It is the responsibility of the builder or the property owner to remove the sign in a timely manner.**

Section 107. List of Common Terms

The following definitions of common terms apply to the entire set of rules, procedures, policies, practices and information contained within the *HVL POA Bylaws*.

- ◆ **Greenbelt area** – Any common space owned by the HVL POA designated by plat with “R numbers”.
- ◆ **Lawful Order** - Such orders pertaining to rules and regulations as passed by the HVL POA Board of Directors to ensure the safety and rights of all HVL property owners and their guests.
- ◆ **Private property** – Property owned by individuals, which is not to be used by the public in general without specific permission by the owner.
- ◆ **Property owner** – Any person, firm, or corporation, or any other legal entity listed on an HVL property deed.
- ◆ **Protective covenants** – Contracts entered into between private parties or subdivision restrictions which constitute a restriction on the use of all private property within a subdivision for the benefit of property owners, and provide mutual protection against undesirable aspects of development which would tend to impair stability of values.
- ◆ **Right-of-way** - An HVL POA street or roadway to which HVL property owners, their immediate families, their guests and renters have the right to use.
- ◆ **Valley Rural Utility Company (VRUC)** – The utility company, located in Hidden Valley Lake and owned and operated by the HVL property owners, which provides water, sewage and natural gas services.

Part 2 - Architecture Rules and Regulations

Section 202. Architecture

The purpose of this Building Code and Restrictions is to carry into effect the conditions, restrictions, covenants and agreements contained in the Contracts of Purchase and Deeds of Conveyances of lots in Hidden Valley Lake Subdivision, and to provide specific minimum standards for preserving the original nature and intent of Hidden Valley Lake by regulating the type and location of residential construction to be consistent with a residential community containing recreational facilities in a private, owner-regulated development, and in conjunction with the above to include by reference the Single Family Dwelling Code of the Indiana Department of Fire and Building Services as basic written body of construction regulations and the Dearborn County Zoning Ordinance #12-1980.

The provisions of this Building Code and Restrictions apply to the construction, alteration, repair, use, placement on lot, occupancy and maintenance of detached single family dwellings, docks, decks, sheds, or any other structure. The provisions also apply to construction use, alteration of lot and preservation of the original nature of the development. This code applies to the restrictions administered by the HVL POA and approved by the HVL POA Architecture Committee and does not imply or indicate compliance with the regulations of the Indiana Department of Fire and Building Services, the Dearborn County Zoning Ordinance, or any other governmental regulations.

All structures over eight (8) inches high and all on-site improvements that shall be built or placed within Hidden Valley Lake on any private property must have prior approval by the HVL POA Architecture Committee or have Administrative Approval by the HVL POA. All structures over eight (8) inches high and all on-site improvements that shall be built or placed within HVL or on any property owned and/or operated by the HVL POA must be submitted to the HVL POA Architecture Committee for review or have Administrative approval by the HVL POA.

The HVL POA Architecture Committee shall have the right to disapprove any plans, specifications or details submitted to them in the event the same are not in accordance with all the restrictions, rules and regulations set forth or when, 1) the design or color scheme of the proposed building or other structure is not in harmony with the general surroundings of such lots or with the adjacent buildings or structures, 2) the plans and specifications submitted are incomplete or 3) the HVL POA deems the plans, specifications, or details or any part thereof to be contrary to the interest, welfare or rights of all or any of the property subject hereto or the owners thereof. Proposed buildings not in harmony with the general surroundings or adjacent buildings include, but are not limited to, buildings or structures with appearance or style substantially similar to adjacent buildings. For example, a bi-level building will not be approved if it is to be built next to an existing bi-level similar in appearance.

The decision of the HVL POA Board of Directors of the Association shall be final. Neither the HVL POA nor its agents shall be responsible for structural deficiencies or any other defects in plans or specifications submitted, revised or approved in accordance with the foregoing provisions. Building approval by the HVL POA Architecture Committee does not imply nor indicate compliance with the regulations of the Administrative Building Council of Indiana or any other governmental regulations.

Indiana State and Dearborn County Building Codes are recognized in Hidden Valley Lake. The HVL POA Architecture Committee reserves the right to enhance the Indiana State and Dearborn County Building Codes. Please contact Dearborn County for current Building Permit requirements.

Violations of HVL POA Architecture Rules will result in stop-work orders and assessments. There will be an Administrative Fee of \$100 posed on each Stop Work Order issued. Please refer to Part 1, Section 102 of this Bylaws, Rules and Regulations for the current schedule of assessments.

The Valley Rural Utility Company (VRUC) and other utility companies maintain a seven and one half (7 1/2) foot easement on both sides and the rear of the property lots and a fifteen (15) foot easement in the lot front. In addition, if there are any utility company lines (water, sewer, gas, electric, cable, etc.) installed other than along the property perimeter, an easement also accompanies that utility line. In addition to submitting construction plans to the HVL POA Architecture Committee, it may also be necessary to submit them to the VRUC for approval. It is the responsibility of the property owner to assure that the construction plans were received at the VRUC. VRUC approval of construction plans may be necessary to obtain a Dearborn County building permit. Please refer to Part 3, Section 301 Utility Company Information in this Bylaws, Rules and Regulations on how to contact the VRUC.

This Architecture Section of the Bylaws, Rules and Regulations consists of the following subsections:

- A. Definitions of Terms
- B. General Architecture Rules
- C. House Plans (New Structures) Rules
- D. House Plans (Additions or Changes to Existing Structures) Rules
- E. Plot Plans (New Structures) Rules
- F. Plot Plans (Additions or Changes to Existing Structures) Rules
- G. Dearborn County Building Permits Rules
- H. Performance Bonds (Structures 900 Square Feet and Larger) Rules
- I. Performance Bonds (Structures Under 900 Square Feet) Rules
- J. Road Moratorium Rules
- K. Set back and Side Lot Dimensions Rules for Structures
- L. Structures and Foundations Rules
- M. Deck Construction Rules
- N. Roadside Ditches and Entrances to Property Rules

- O. Private Docks and Boat Lifts Rules
- P. Fences Rules
- Q. Fuel Tanks Rules
- R. Grading and Drainage Rules
- S. Lake Water Usage Rules
- T. Landscaping Rules
- U. Sheds, Gazebos, Shelters, Dog Runs and Other Lot Improvements Rules
- V. Play Structures Rules
- W. Exterior Walls Rules (includes Retaining Walls)
- X. Seawalls, Shoreline Protection and Shoreline Reclamation Rules
- Y. TV Antennas, Towers and Satellite Dishes Rules
- Z. In-Ground and Above-Ground Pools Rules
- AA. Parking Pads

A. Definitions of Terms

For the following HVL POA Architecture Rules, unless the context otherwise indicates when used in conjunction with the term, the definitions of the following terms apply:

- ◆ **Architecture Logbook** – An HVL POA log by date of every structure approved by the HVL POA Architecture Committee, which is kept and maintained by the HVL POA office.
- ◆ **Buildable part of the lot** – That area of a lot that is defined within the specified set backs.
- ◆ **Certificate of Occupancy** – A statement from the Dearborn County Building Department certifying that the structure is suitable for occupancy.
- ◆ **Concrete truck** – Any vehicle used to carry un-poured mixed concrete.
- ◆ **Concrete pumper truck** – Any vehicle used to pump concrete from a concrete truck onto the construction site.
- ◆ **Contiguous Lot Agreement** - An HVL POA document that grants permission to a property owner to build on or across lots side yard boundaries lines only, which must be signed by the property owner, notarized and recorded at the Dearborn County Recorder’s Office.
- ◆ **Corner lot** – A lot situated at the intersection of two streets, the interior angle of such intersection not exceeding 135 degrees.
- ◆ **Dock** – A structure on or over the water to which a boat may be moored.
- ◆ **Double frontage lot (or through lot)** – A lot having frontage on two non-intersecting streets as distinguished from a corner lot. Both street lines shall be deemed front lot lines.
- ◆ **Front yard** – A yard extending along the full length of the front lot line between the side lot lines.
- ◆ **Grade** – The average level of the finished surface of the ground adjacent to the exterior walls of the building or structure.
- ◆ **Hard Surface** – Any surface constructed of concrete, gravel, paver blocks, turf blocks or asphalt.
- ◆ **HVL central sewer system** – Service provided by the VRUC.
- ◆ **HVL central water supply** – Service provided by the VRUC.
- ◆ **HVL POA Building Coordinator** – An employee of the HVL POA responsible for the inspection of all building activity within Hidden Valley Lake.
- ◆ **Inoperative motorized vehicle** – A vehicle which cannot be driven upon the public streets for reasons including but not limited to being unlicensed, wrecked, abandoned, in a state of disrepair, or incapable of being moved under its own power.
- ◆ **Large vehicle** – Any vehicle including, but not limited to, dump trucks, flatbed trucks, box trucks, buses, semis or other vehicles over eight thousand (8,000) pounds curb weight, excluding recreational vehicles (RV’s), boats and campers.

- ◆ **Lot depth** – The mean horizontal distance between the front lot line and the rear lot line of a lot, measured within the lot boundaries.
- ◆ **Lot width** – The horizontal distance between the side lot lines of a lot, measured at right angles to the lot depth at the established front building line.
- ◆ **Outdoor wood fired boiler or outdoor wood fired furnace** – A wood burning appliance or device located outside of a dwelling or garage or principal building which heats water or another substance to provide heat or hot water to the dwelling, garage or principal building. Any such device which burns other types of solid fuels shall also be considered an outdoor wood fired boiler or outdoor wood fired furnace.
- ◆ **Plan record of HVL** – The current architecture plan on file at the HVL POA office.
- ◆ **Poly wire** - A wire composed of 3, 6 or 9 strands of metal filament braided with strands of brightly colored polyethylene.
- ◆ **Rear yard** – A yard extending along the full length of the rear lot line between the side lot lines.
- ◆ **Retaining wall** – An exterior wall that holds back soil or rock from a building, structure or area. Retaining walls prevent down slope movement or erosion, and provide support for vertical or near-vertical grade changes.
- ◆ **Rip-Rap** – A method of providing bank stabilization consisting of geo-fabric or other appropriate filter fabric covered with at least two layers of natural crushed rock (not concrete) roughly 4 inches to 8 inches in diameter.
- ◆ **Side yard** – A yard extending along a side lot line from the front yard to the rear yard.
- ◆ **Structure** – Any improvement eight (8) inches or higher affixed to the land or attached to something affixed to the land, built for the support, enclosure, shelter or protection of persons, animals, chattels or movable property of any kind. In addition to houses and garages, the above includes, but is not limited to such items as gazebos, decks, large play-sets, storage sheds and sheds. Structures do not include public utility communication and electrical transmission lines and equipment and facilities supporting the same and/or incidental thereto.
- ◆ **Unlicensed motorized vehicle** – Any motorized vehicle not having a current vehicle license plate displayed on the vehicle.
- ◆ **Utility trailers** – Any trailer not designed and used to transport watercraft or not designed and used primarily as a recreational vehicle (RV) and camper.
- ◆ **Yard** – An open space on the same lot with a building or structure.

B. General Architecture Rules

- 1) An approved building permit from the HVL POA Architecture Committee with a stamp of approval by the VRUC and an approved building permit from the Dearborn County Building Department are required before any construction is permitted. Permits from the Dearborn County Health Department may also be required. The HVL POA Board of Directors shall establish HVL permit fees.
- 2) Construction plans shall be prepared to conform to the HVL Building Code, the Administrative Building Council (ABC) code of the State of Indiana and the Dearborn County Zoning Ordinance #12-1980. Plans shall be drawn to scale and shall be of sufficient clarity to indicate the nature and extent of the work proposed and shall show in detail that the structure shall conform to the provisions of this Building Code and all the relevant laws, ordinances, rules and regulations.
- 3) Only the owner of the property or the general contractor is authorized to present plans to the HVL POA Architecture Committee.

- 4) One of the intents of this Building Code is to promote continuity and completion of all individual single family dwellings and all other on-site improvements. To that end, once construction has been approved by the Architecture Committee all structures 900 square feet and larger, the building exterior, lot improvement and landscaping, as authorized by the permit, shall be completed within twelve (12) months of the HVL POA Architecture Committee's approval of the "Application for Building Permit, Notice of Building Requirements and Agreement to Comply with Building Requirements". All construction of structures under 900 square feet, including house additions, garages, decks, docks, fences, sheds, gazebos, shelters, dog runs, play structures, retaining walls, sea walls, and pools, shall be completed within six (6) months of the HVL POA Architecture Committee's approval of the "Application for Building Permit, Notice of Building Requirements and Agreement to Comply with Building Requirements". All persons applying to the HVL POA Architecture Committee for a construction permit shall execute and deliver all required HVL construction forms along with the required performance bond, the amount of which is determined by the HVL POA Board of Directors and is described in Subsections H and I in this section of the Bylaws, Rules and Regulations. If construction is not completed within the allowable time limit, it is mandatory that an extension be requested to the HVL POA Architecture Committee. All structures 900 square feet and larger are subject to a non-refundable fee of \$200.00 paid to the HVL POA for the first three (3) months, \$300.00 per month for the following six (6) months, and thereafter at the HVL POA Board of Director's discretion. A further application of a performance bond shall be that if construction is not begun within six (6) months of the date of issuance of the permit, the bond may be requested for return, less a 10 per cent administrative charge not to exceed \$250.00.
- 5) HVL POA Building Permits shall only be issued to HVL POA members in good standing and shall not be issued to any property owner and/or builder who has outstanding HVL assessments or citations.
- 6) No new building permits shall be approved to a property owner or builder if there is any other present construction by the same individual that exceeds the completion periods as described in paragraph 4 above.
- 7) The property owner shall be ultimately responsible for following all rules and requirements of the HVL POA, and shall be responsible to keep informed in his/her own right and to inform any and all subcontractors and suppliers of the rules and requirements, and shall be held ultimately responsible for the actions of all contractor employees, subcontractors and suppliers working on the site.
- 8) Upon presentation of proper credentials, the HVL POA Building Coordinator, members of the HVL POA Architecture Committee or its duly authorized representative can, at reasonable times, enter any site in the jurisdiction to carry out their duties regarding enforcement of the HVL POA Architecture Rules.
- 9) The Builder/Owner shall conform to the provisions of erosion control as prescribed by the Indiana Storm Water Quality Manual. All lake lots shall have two (2) rows of silt fence in place, on the lake side, from lot line to lot line, for the duration of construction. All other lots shall have one (1) row of silt fence in place, in ditch line/ culvert area or rear area, from lot line to lot line (around corner on corner lots) for the duration of construction.
- 10) No more than one single-dwelling house shall be erected or constructed on any one HVL lot.
- 11) No more than one free-standing structure for garage or storage purposes shall be erected or constructed on any one HVL lot.

- 12) No structure of any other kind shall be erected prior to the construction of a dwelling on any one HVL lot.
- 13) No accessory or temporary building or trailer shall be used or occupied as living quarters.
- 14) No structure shall have tarpaper, roll brick siding or similar material on outside walls.
- 15) No house trailers, campers, tents, shacks, boats or storage of "any" type or similar structures shall be erected, moved to or placed upon any undeveloped lot or lots.
- 16) Erecting a tent or canopy in a side yard of a lot, front yard of a lot or on a dock is prohibited. There is a three (3) day limit on having a recreational tent or canopy erected behind a dwelling.
- 17) Permanently attached awnings on dwellings may be permitted with the written approval from the HVL POA Architecture Committee.
- 18) Outside toilets may be permitted on a construction site during construction until inside plumbing is operational. Outside toilets shall be self-contained units (i.e. "Port-O-Let") and may be subject to approval of the HVL POA Building Coordinator. No outside toilets shall be allowed on individual premises after the completion of the operational plumbing.
- 19) Discharging untreated waste on any property within HVL or into any lake located in HVL is prohibited. No individual septic tanks shall be allowed on any HVL property.
- 20) No individual domestic water wells shall be permitted on an HVL lot. Each residence shall use the HVL central water supply. Cisterns and wells not for domestic water purpose are permitted but may not be connected to either the central water or sewer systems.
- 21) No building, fencing or structure of any kind shall be located on any lot nearer to the front lines than the minimum building setback lines shown on the plan of record in the HVL POA office.
- 22) The HVL POA Architecture Committee shall approve all construction on right-of-ways.
- 23) Metal chimneys and heating vents on the exterior of structures shall be framed in and sided with materials compatible with those of the remainder of the structure. The vents may be exposed above this construction only to the minimum dimension recommended by the manufacturer.
- 24) All construction and construction delivery noise is prohibited before 7:00 a.m. and after 7:00 p.m. or sunset (whichever comes first) on weekdays and not before 8:00 a.m. on weekends and holidays. Roofers with written permission from the HVL POA Community Manager, or in his absence a designated representative, may start at 6:00 a.m., weekdays only, during the months of July and August.
- 25) It is neither permitted, nor allowed, for any builder, contractor or subcontractor to use any utilities from any of the neighboring properties for their construction project(s), or any other related use, without the express written permission of the neighboring property owner in advance of such use. A copy of the written permission shall be given to the HVL POA office before these utilities can be used. Any violation of this rule shall be cited by the HVL POA on first occurrence and referred to the Dearborn County Sheriff's Department for citation and prosecution for any subsequent infringement.

- 26) Removing or altering the location of any construction stakes and/or utility flags within the limits of Hidden Valley Lake is prohibited. If removing or altering the location of the stakes and/or utility flags results in either having the property re-surveyed or loss of a utility to an HVL resident, the property owner shall be responsible for the violation and shall be liable for all costs involved as a result of their actions.
- 27) Community property within HVL shall be cleared daily of all mud and debris created by construction activities by the end of the workday.
- 28) If any structure or addition to an existing structure is to be constructed across more than one lot, an HVL POA "Declaration of Contiguous Lots" duly recorded at the Dearborn County Recorder's Office shall be required.
- 29) A house shall not exceed a height of twenty-six (26) feet from the point where the foundation touches the highest point on the lot (soil) to the roof overhang. The height of other structures shall not exceed twelve (12) feet from the highest point where the foundation touches the lot to the roof overhang.
- 30) The following items may be approved administratively before the change is started, under the current architecture guidelines, and referred to the Architecture Committee at their next meeting: color changes, shingle replacements, texture changes, fences, culvert extensions, fuel tanks over twenty (20) pounds (fuel tanks 20 lbs or less need no approval), play sets size 6' x 12' and under of normal structure and certain sheds that meet the following criteria: pre-fabs; 100 sq. ft. or less; matching or coordinating main house color, (not house trim color) if shingled, to match house shingles; 3 feet or less from back of house or under deck within buildable part of lot.
- 31) Any variance requested to a new or existing structure shall be submitted to the HVL POA Office to begin variance approval procedures along with a \$50.00 variance filing fee. A sign, defining a variance request, will be placed on the property where the variance is requested 30 days prior to a vote on the variance. A letter describing the variance being requested will be sent to adjoining property owners at least one (1) week prior to an Architecture Committee meeting. The variance request will then go to the Architecture Committee for their recommendation on the variance to the HVL POA Board of Directors. The variance is then presented to the HVL POA Board of Directors for approval. Certain variances may also require VRUC and/or Dearborn County approval. All approved variances are valid for no longer than twelve (12) months and are not transferable.
- 32) The HVL POA has restrictions regarding the parking of concrete trucks and concrete pumper trucks at or near the construction site. The explanation of these restrictions is found in the HVL POA Bylaws, Rules and Regulations in Section 215. Traffic and Vehicle Operation Rules, Subsection B. Stopping, Standing and Parking Rules.
- 33) A combined total of one (1) trailer, motorized boat, camper, RV, motor home is permitted to be stored outside. A combined total of two (2) is permitted to be stored outside if two (2) or more full size lots are contiguous. Boats, cars, trailers, campers, RV's and motor homes must be placed on a hard surface. (Effective 10/24/13)
- 34) With approval from the Hidden Valley Lake POA Office, a temporary storage unit (POD or equivalent) may be placed on a private lot within Hidden Valley Lake for a period not to exceed thirty (30) days. One thirty (30) day extension may be granted at the discretion of the Hidden Valley

Lake Community Manager. Contiguous lots shall be considered as one lot for POD purposes. The POD must be placed on a hard surface.

C. House Plans (New Structures) Rules

- 1) All new houses require HVL POA Architecture Committee approval prior to being constructed. When applying for approval, the following items shall be submitted at the HVL POA office by 4:00 p.m. on the Thursday prior to the HVL POA Architecture Committee meeting:
 - a. Four (4) copies of the floor plan(s) consisting of the basement level and all other levels including decks and porches. This must include the square footage of the living space.
 - b. Four (4) copies of the exterior elevations (all sides).
 - c. Four (4) copies of the cross sections of footing, foundations, walls and roof (showing details).
 - d. Four (4) copies of the cross sections indicating materials to be used in building such as frame, masonry, insulation, etc., including exterior finishes.
 - e. Color photos of the residences adjacent to and across the street from the proposed new construction.
 - f. Color samples of the siding, shingles, front door color, trim color and shutter color.
 - g. One (1) copy of the Contiguous Lot Agreement if applicable.
 - h. Color photos of the roadways and ditch lines at the new construction site, adjacent to and across the street from the new construction site.
- 2) The copies of the items provided shall be distributed after they are approved and shall be stamped by the HVL POA Architecture Committee as follows:
 - a. One (1) copy to the HVL POA office.
 - b. One (1) copy to the builder.
 - c. Two (2) copies to the property owner.
- 3) Dearborn County requires a building permit for the construction of a new house. The property owner is responsible for contacting the county to apply for the permit.
- 4) The HVL POA Architecture Committee requires a \$3500.00 Performance Bond for the duration of the new house construction. (See Subsection H of this section of the Bylaws, Rules and Regulations).
- 5) Houses on lot numbers: 1487 – 2053, 2343 – 2421, 2422 – 2658, 2708 – 2724, 3154 – 3188, 3212 – 3292, 3293 – 3299, 3300 – 3303, and 3304 – 3322 have been designated by deed restriction as requiring a higher minimum square footage and appraised value.
- 6) Any house on a lot that is not designated in Architecture Rule C.5 shall have a minimum of nine hundred (900) square feet of living area (exclusive of porches, garages and decks) on a single level, or projected to a single horizontal plane if more than one level (i.e. the “footprint” of the house).
- 7) The appraised value of a house and associated lot improvements that is not designated in Architecture Rule C.5 shall be at least \$160,000.00*. At least one (1) per cent of the appraised value shall be for landscaping. The appraised value of the lot shall not be included in this amount.
- 8) Any house on a lot that is designated in Architecture Rule C.5 shall have a minimum of twelve hundred (1200) square feet of living area (exclusive of porches, garages and decks) on a single level, or projected to a single horizontal plane if more than one level (i.e. the “footprint” of the house).

- 9) The appraised value of a house and associated lot improvements that is designated in Architecture Rule C.5 shall be at least \$180,000.00*. At least one (1) per cent of the appraised value shall be for landscaping. The appraised value of the lot shall not be included in this amount.
- 10) The HVL POA Architecture Committee may request an appraisal by an HVL POA-approved; Indiana certified appraiser on any house plan submitted at the owner's expense.
- 11) The square footage for an A-frame building shall be determined from inside the knee-wall or from inside truss to inside truss at a point on the truss thirty (30) inches from the finished floor grade.
- 12) The area on each floor, with the exception of the basement level, shall have minimum of eight (8) feet of headroom between the finished floor and the ceiling per the State of Indiana Building Code.

* The minimum appraised value of a house and associated lot improvements is subject to change. The HVL POA Architecture Committee is required to review the minimum appraised value requirements for new home construction every September, and if a change is recommended, present the suggested change to the HVL POA Board such that it takes effect on the following January 1st.

D. House Plans (Additions or Changes to Existing Structures) Rules

- 1) All additions or changes to a house require HVL POA Architecture Committee approval prior to being constructed. When applying for approval, the following items shall be submitted:
 - a. Four (4) copies of the floor plan(s) consisting of the basement level and all other levels including decks and porches. This must include the square footage of the living space.
 - b. Four (4) copies of the exterior elevations (all sides).
 - c. Four (4) copies of the cross sections of footing, foundations, walls and roof (showing details).
 - d. Four (4) copies of the cross sections indicating materials to be used in building such as frame, masonry, insulation, etc., including exterior finishes.
 - e. Four (4) copies of the square footage of addition/change.
 - f. Color photos of the residences adjacent to and across the street from the proposed new construction.
 - g. Color samples of the siding, shingles, front door color, trim color and shutter color.
 - h. Color photos of the structure(s) being added to or changed.
 - i. One (1) copy of the Contiguous Lot Agreement if applicable.
 - j. Color photos of the roadways and ditch lines at the existing construction site, adjacent to and across the street from the existing construction site.
- 2) The copies of the items provided shall be distributed after they are approved and shall be stamped by the HVL POA Architecture Committee as follows:
 - a. One (1) copy to the HVL POA office.
 - b. One (1) copy to the builder.
 - c. Two (2) copies to the property owner.
- 3) Dearborn County requires a building permit for the construction of the house addition or change. The property owner is responsible for contacting the county to apply for the permit.
- 4) The HVL POA Architecture Committee requires a \$3500.00 Performance Bond for the duration of the house addition or change if the total square footage of the addition or change is nine hundred (900) or over. (See Subsection H of this section of the Bylaws, Rules and Regulations).

- 5) The HVL POA Architecture Committee may require a \$500.00 Performance Bond for the duration of the house addition or change if the total square footage of the addition or change is equal to or less than nine hundred (900). The HVL POA Architecture Committee shall make this determination based on the type of addition or change being proposed. (See Subsection I of this section of the Bylaws, Rules and Regulations).
- 6) The area on each floor of a house addition or change, with the exception of the basement level, shall have minimum of eight (8) feet of headroom between the finished floor and the ceiling per the State of Indiana Building Code.

E. Plot Plans (New Structures) Rules

- 1) All new houses require HVL POA Architecture Committee approval prior to being constructed. When applying for approval, a plot plan stamped by a registered Indiana surveyor consisting of the following information shall be submitted:
 - a. Location of house on the lot showing the distances to all property lines. (See Subsection K of this section of the Bylaws, Rules and Regulations.)
 - b. Elevation of all corners.
 - c. Exterior dimensions of house including overhang and any decks or porches. (See Subsection M of this section of the Bylaws, Rules and Regulations.)
 - d. Location and size of culvert for drive if required. (See Subsection N of this section of the Bylaws, Rules and Regulations.)
 - e. Location of water meter and gas meter if applicable.
 - f. Location and elevation of sewer line.
 - g. Location of electrical, telephone and cable TV lines and gas line if applicable.
 - h. Elevation of basement or ground floor (on slab).
 - i. Drainage plan. (See Subsection R of this section of the Bylaws, Rules and Regulations.)
 - j. Name of township (Miller or Lawrenceburg).
 - k. Location of propane tank to be buried. (See Subsection Q of this section of the Bylaws, Rules and Regulations.)
 - l. Ditch and driveway provisions. (See Subsection N of this section of the Bylaws, Rules and Regulations.)
 - m. Distance of culvert pipe(s) from the side property line(s).
- 2) Five (5) copies of the plot plan shall be submitted. They shall be distributed after they are approved and shall be stamped by the HVL POA Architecture Committee and the VRUC as follows:
 - a. One (1) copy to the HVL POA office.
 - b. One (1) copy to the VRUC office.
 - c. Three (3) copies to the property owner, two of which are taken to the Dearborn County Building Department to obtain a county building permit.
- 3) Utility line locations for water, sewer, electrical, telephone and cable TV, and gas lines if applicable, are available by contacting the appropriate utility office.
- 4) Property owners shall notify all utility companies before any excavation is undertaken in an area of underground utilities.
- 5) In order that all the required plot plan information be properly documented and correctly designated, it is necessary that all plot plans shall be stamped by an Indiana registered surveyor.

- 6) The building location shall be staked out on the lot by a registered Indiana surveyor before plot plans are submitted to the HVL POA Architecture Committee. Lot corners, front of the house, rear of the house, and offsets from property lines and other such points shall be staked by an Indiana registered surveyor to indicate the location of the house.
- 7) House stakes shall be checked by HVL POA personnel prior to the approval of the plot plan by the HVL POA Architecture Committee.
- 8) Offset stakes shall remain in place until the poured footers have been checked by HVL POA personnel.

F. Plot Plans (Additions or Changes to Existing Structures) Rules

- 1) All additions or changes to existing houses require HVL POA Architecture Committee approval prior to being constructed. A new plot plan consisting of the following information shall be submitted for all detached garages and any addition or changes equal to or greater than nine hundred (900) total square feet. If the addition or change is less than nine hundred (900) square feet, the owner or builder may indicate the additions or changes on a copy of the original plot plan if one exists. If the original plot plan does not exist, then a new plot plan containing the following information shall be submitted:
 - a. Location of house on the lot showing the distances to all property lines. (See Subsection K of this section of the Bylaws, Rules and Regulations.)
 - b. Elevation of all corners.
 - c. Exterior dimensions of house including overhang and any decks or porches. (See Subsection M of this section of the Bylaws, Rules and Regulations.)
 - d. Location and size of culvert for drive if required. (See Subsection N of this section of the Bylaws, Rules and Regulations.)
 - e. Location of water meter and gas meter if applicable.
 - f. Location and elevation of sewer line.
 - g. Location of electrical, telephone and cable TV lines and gas line if applicable.
 - h. Elevation of basement or ground floor (on slab).
 - i. Drainage plan. (See Subsection R of this section of the Bylaws, Rules and Regulations.)
 - j. Name of township (Miller or Lawrenceburg).
 - k. Location of propane tank to be buried. (See Subsection Q of this section of the Bylaws, Rules and Regulations.)
 - l. Ditch and driveway provisions. (See Subsection N of this section of the Bylaws, Rules and Regulations.)
 - m. Distance of culvert pipe(s) from the side property line(s).
- 2) Five (5) copies of the plot plan shall be submitted. They will be distributed after they are approved and shall be stamped by the HVL POA Architecture Committee and the VRUC as follows:
 - a. One (1) copy to the HVL POA office.
 - b. One (1) copy to the VRUC office.
 - c. Three (3) copies to the property owner, two of which are taken to the Dearborn County Building Department to obtain a county building permit.
- 3) Utility line locations for water, sewer, electrical, telephone and cable TV, and gas lines if applicable, are available by contacting the appropriate utility office.
- 4) Property owners shall notify all utility companies before any excavation is undertaken in an area of underground utilities.

- 5) In order that all the required plot plan information be properly documented and correctly designated, it is necessary that all plot plans shall be stamped by an Indiana registered surveyor.
- 6) The building location shall be staked out on the lot by a registered Indiana surveyor before plot plans are submitted to the HVL POA Architecture Committee. Lot corners, front of the house, rear of the house, and offsets from property lines and other such points shall be staked by an Indiana registered surveyor to indicate the location of the house.
- 7) House stakes shall be checked by HVL POA personnel prior to the approval of the plot plan by the HVL POA Architecture Committee.
- 8) Offset stakes must remain in place until the poured footers have been checked by HVL POA personnel.

G. Dearborn County Building Permits Rules

- 1) An approved Dearborn County Building Permit shall be granted before all new structures over eight (8) inches high may be constructed within Hidden Valley Lake.
- 2) Prior to application for a Dearborn County Building Permit, the HVL POA Architecture Committee and VRUC shall have approved and stamped all required house and plot plans and HVL POA water and sewer tap-in fees (if needed) shall be paid.
- 3) Dearborn County currently requires that two (2) copies of the plot plan and one (1) copy of the house (or addition) plan shall be submitted to the Health Department, the Planning and Zoning Office and the Building Department in that order.
- 4) Nailing or screwing building permits to trees on community property within HVL is prohibited.

H. Performance Bonds (Structures 900 Square Feet and Larger) Rules

- 1) For new houses, a payment of a \$3,500 Performance Bond is required when the plans are submitted for approval to the HVL POA Architecture Committee. This bond is comprised of a \$1,500 building permit fee and a \$2,000 cash bond. The \$2,000 cash bond may be returnable upon completion of construction.
- 2) For additions or changes comprising 900 square feet and larger to an existing structure, a payment of a \$3,500 Performance Bond is required when the plans are submitted for approval to the HVL POA Architecture Committee. This bond is comprised of a \$1,500 building permit fee and a \$2,000 cash bond. The \$2,000 cash bond may be returnable upon completion.
- 3) Application for this performance bond shall be made by completing an "Application for Building Permit, Notice of Building Requirements and Agreement to Comply with Building Requirements" form and an "Application for Performance Bond for Construction" form available from the HVL POA office.
- 4) After HVL POA Architecture Committee approval, information pertaining to the performance bond is recorded in the Architecture Logbook. The check is then deposited in the bank.

- 5) Upon completion of the construction, the owner or builder may request the return of the \$2,000 cash bond. Application for the return of the cash bond shall be made through the HVL POA office by completing an “Application for Performance Bond Return” form”. Completion of construction is defined as follows:
 - a. Obtaining an Occupancy Permit from the Dearborn County Building Inspector's office.
 - b. Completing the exterior of the structure (including paint, stain etc.).
 - c. Completing landscaping with a minimum value of one (1) per cent of the value of the house.
 - d. Cleaning up the building site and restoration of adjacent lots.
 - e. Completing of an inspection of roadway, culvert and ditch line conditions.
 - f. Completing of the final grading, seeding and strawing (or sodding) of all disturbed ground areas.
- 6) When the request is made for the return of a cash bond, the “Application for Performance Bond Return” form shall be submitted with a copy of the occupancy permit to the HVL POA office. The property shall be inspected by an HVL POA designated person and/or the HVL POA Community Manager. If both have approved the request, it may then be approved at the next scheduled HVL POA Board of Directors Meeting before a check for the return amount is written. The check is returned to the person or company who submitted the check originally. The complete process of returning a cash bond usually takes about six (6) to eight (8) weeks. Information of the return amount is then recorded in the Architecture Logbook.
- 7) A charge of ten (10) per cent of the total road bond deposit shall be forfeited as an administrative fee should the property owner or builder elect not to build within six (6) months of the date of Architecture Committee approval.

I. Performance Bonds (Structures Under 900 Square Feet) Rules

- 1) For structures comprising less than (900) square feet, a payment of a \$500 Performance Bond may be required when the plans are submitted for approval to the HVL POA Architecture Committee. The \$500 Performance Bond may be returnable upon completion.
- 2) Application for this Performance Bond shall be made by completing an “Application for Performance Bond for Construction” form available from the HVL POA office.
- 3) After HVL POA Architecture Committee approval, information pertaining to the Performance Bond is recorded in the Architecture Logbook. The check is then deposited in the bank.
- 4) Upon completion of the construction, the owner or builder may request the return of the \$500 Performance Bond. Application for the Performance Bond return shall be made through the HVL POA office by completing an “Application for Performance Bond Return” form. Completion of construction is defined as follows:
 - a. Obtaining an Occupancy Permit (if applicable) from the Dearborn County Building Inspector's office.
 - b. Completing the exterior of the structure (including paint, stain etc.).
 - c. Completing landscaping to a minimum value of one (1) per cent of the cost of structure.
 - d. Cleaning up of building site and restoration of adjacent lots.
- 5) When the request is made for the return of a cash bond, the “Application for Performance Bond Return” form shall be submitted with a copy of the occupancy permit to the HVL POA office. The

property shall be inspected by an HVL POA designated person and/or the HVL POA Community Manager. If both have approved the request, it may then be approved at the next scheduled HVL POA Board of Directors Meeting before a check for the return amount is written. The check is returned to the person or company who submitted the check originally. The complete process of returning a cash bond usually takes about six (6) to eight (8) weeks. Information of the return amount is then recorded in the Architecture Logbook.

A charge of ten (10) per cent of the total performance bond deposit shall be forfeited as an administrative fee should the property owner or builder elect not to build within six (6) months of the date of permit.

J. Road Moratorium Rules

- 1) A road moratorium on all construction within Hidden Valley Lake is in force from January 31st through March 31st. Due to weather conditions, the HVL POA Board of Directors may change the dates.
- 2) With the exception of seawalls and boat docks, no concrete footers and foundations shall be started during the road moratorium.
- 3) After construction starts, concrete footers and foundations shall be completed and all concrete forms shall be removed from the site by January 31st.
- 4) If construction has been started, all concrete footers and foundations have been completed, all concrete forms have been removed and the condition of the roads permits, construction from January 31st through March 31st may be continued using vehicles weighing a maximum of 5000 pounds per axle, not including the steering axle (3 yards for concrete trucks).
- 5) All truck loads shall carry a weight slip for verification. Trucks are subject to being stopped by HVL POA Deputies.

K. Set Back and Side Lot Dimensions Rules for Structures

- 1) All above-ground building projections shall be at least the following distances from the lot lines:
 - a. Front – forty (40) feet.
 - b. Sides (non-corner lot) - ten (10) feet.
 - c. Street side (corner lot) – twenty-five (25) feet.
 - d. Rear (non-corner lot) – twenty-five (25) feet.
 - e. Rear (corner lot) – ten (10) feet.
 - f. Rear (main lakefront lots) – fifty (50) feet from the summer pool waterline.
 - g. Rear (small lake lots) - fifty (50) feet from the shoreline or lot line, whichever is closer.
- 2) No portion of any main lake lakefront structure shall be constructed at a point below 645 feet elevation.
- 3) No visual obstruction shall be located closer than fifteen (15) feet from the road pavement at any intersection.
- 4) No detached garage shall be located closer to the street property lines than the house it serves.

- 5) Although the Board may allow variance for rear and front set backs, no side setback variances will be allowed.

L. Structures and Foundations Rules

- 1) The HVL POA Architecture Rules, at a minimum, follow the requirements set forth in the Code for single family dwelling units of the Indiana Department of Fire and Building Services.
- 2) Hillside footings shall be stepped in accordance with the most current Dearborn County Building Code.
- 3) Four (4) basic types of foundations are permitted: slabs, concrete blocks, poured concrete, or wood.
- 4) Post or pier-type foundations of steel or concrete may be used only for porch or balcony support or partial building support providing they only comprise twenty (20) per cent of the linear measurement of the total outbuilding design.
- 5) A wood foundation, if used, shall be designed in accordance with the most current Dearborn County Building Code.
- 6) A building utilizing crawl space construction shall have the total crawl space, to the outside of the building line, enclosed with masonry or other suitable material.
- 7) The exterior building facing or covering shall be treated, if necessary, to give required protection.
- 8) No pre-assembled walls or building units more than sixteen (16) feet in length may be erected at one time without the specific approval by the HVL POA Architecture Committee.
- 9) No pre-assembled wall may be erected that does not permit on-site inside wall inspection.
- 10) Modular homes, doublewide mobile homes and single mobile homes, pre-fabricated or like structures, are prohibited.
- 11) Porch railings shall be installed in accordance with the current State of Indiana and Dearborn County Codes.

M. Deck Construction Rules

- 1) All decks require HVL POA Architecture Committee approval prior to being built or placed on a lot. When applying for approval, the following items shall be submitted:
 - a. Five (5) copies of the plot plan (may hand-drawn on a copy of original plot plan) showing the location of the deck on the lot.
 - b. Five (5) copies of a picture or a drawing showing the deck size, elevation and the construction materials to be used.
- 2) For deck approval, a survey at the owner's expense by an Indiana-registered surveyor may be required at the discretion of the HVL POA Architecture Committee.
- 3) All decks shall meet the set back requirements for the lot. (See Subsection K of this section of the Bylaws, Rules and Regulations.)

- 4) The HVL POA Architecture Committee may require a \$500 returnable Performance Bond for the duration of the deck construction. (See Subsection I of this section of the Bylaws, Rules and Regulations.) An Occupancy Letter is not required.
- 5) Dearborn County may require a building permit for the deck construction. The lot owner is responsible for contacting the county to determine if a permit is required.

N. Roadside Ditches and Entrances to Property Rules

- 1) All ditches and entrances to property require HVL POA administrative or Architecture Committee approval prior to being constructed. When applying for approval, the following items shall be submitted:
 - a. Five (5) copies of the plot plan (may hand-drawn on a copy of original plot plan) showing the location of the ditches and entrances on the lot.
 - b. One (1) copy of the “Application for Ditch/Driveway Culvert Permit” form if applicable.
- 2) An HVL POA representative shall inspect the ditch(s) along the roadway of the property (lot line to lot line) for proper water flow. If any corrections are necessary, the owner shall be notified and the corrections shall be completed prior to installing a culvert pipe.
- 3) Culvert pipe installed for an entry driveway shall be a minimum of a fifteen (15) inch corrugated metal pipe to maintain flow of water in the ditch. The HVL POA Building Coordinator and the Architecture Committee may approve a twelve (12) inch corrugated metal pipe or double-walled plastic pipe when one or all of the following factors are present.
 - a. The property is located close to crest of hill.
 - b. The top of the fifteen (15) inch corrugated metal pipe culvert pipe, when placed in the ditch, would be above the road elevation.
 - c. The surveyor or engineer provides a written and stamped letter stating that a twelve (12) inch corrugated metal pipe culvert pipe or double-walled plastic pipe can handle the water flow of the worst storm in the past fifty (50) years.
- 4) Culvert pipe shall be installed at proper height and shall be surrounded and covered with two (2) inches of crushed limestone or dense road base (IN-DOT CA#2). Dirt shall not be used as fill on directly on top of or around the culvert pipe.
- 5) The length required for a culvert pipe under a driveway is twenty (20) feet. However, a longer pipe may be approved. To request an extension of a culvert pipe beyond the minimum length, an “Application for Ditch/Driveway Culvert Permit” form must be submitted and approved by the HVL POA Architecture Committee. An “Application for Ditch/Driveway Culvert Permit” form may be obtained from the HVL POA office.
- 6) The following rules apply to the construction of a temporary or construction entrance:
 - a. The dirt shall be cut away eight (8) inches deep and two (2) feet away from the edge of the road surface prior to the installation of the road base or crushed limestone material.
 - b. Dense road base or crushed limestone shall be used at a depth of not less than six (6) inches and a minimum of two (2) inches above the culvert pipe extending a minimum of forty (40) feet back from the road surface onto the property.
 - c. The entrance shall be the only one used by vehicles entering or exiting the property.
 - d. The entrance shall be properly maintained throughout the construction period.
- 7) The following rules apply to the construction of a permanent property entrance:

- a. When using concrete, the concrete surface when poured shall be no closer than twelve (12) inches from the edge of road surface. The gap between the road and concrete driveway shall be filled with asphalt.
 - b. When using asphalt, the asphalt surface can be laid to the edge of road surface.
 - c. The primary driveway between street and garage and/or house on all new construction, must be surfaced with a suitable hard surface material (i.e. blacktop, concrete, pavers, etc.).
 - d. Below the hard surface material, a dense road base or crushed limestone shall be used at a depth of not less than six (6) inches and a minimum of two (2) inches above the culvert pipe.
- 8) Dearborn County may require a building permit for constructing ditches and entrances to property. The lot owner is responsible for contacting the county to determine if a permit is required.

O. Private Docks and Boat Lifts Rules

- 1) The following list of HVL lots are defined as “main lake front lots” and are the only lots approved for the purpose of building a dock on the main lake. The lots are: 101 – 131, 456 – 459, 469 – 471, 555 – 557, 654 – 666, 1062 – 1100, 1134 – 1149, 1523 – 1533, 1569 – 1571, 1590 – 1593, 1624 – 1632, 1674 – 1680, 1705 – 1720, 1782 – 1796, 1874 – 1897, 1928 – 1930, 2153 – 2157, 2271 – 2276, 2456 – 2469, 2471, 2539 – 2544, 2569 – 2570 and 2643 – 2651.
- 2) Any “non-lake front lots” that have prior approval for a dock may continue to have that approval.
- 3) If an HVL POA greenbelt area exists between a private lot and listed in Hidden Valley Lake Bylaws, Section 202, O, 1, and the main lake, the property owner may build and have private use of a dock and may maintain the greenbelt area including shoreline preservation with rip-rap, but the greenbelt area shall remain the property of the HVL POA.
- 4) If public docks exist in front of a private lot, the property owner shall build to avoid them, but has preference in renting a public dock.
- 5) All docks and boat lifts require HVL POA Architecture Committee approval prior to being built or placed on a lot. When applying for approval, the following items shall be submitted:
 - a. Five (5) copies of the plot plan (may hand-drawn on a copy of original plot plan) showing the location of the dock and/or boat lift on the lot.
 - b. Five (5) copies of a picture or a drawing showing the dock and/or boat lift size, elevation and the construction materials to be used.
- 6) All docks and/or boat lifts shall meet the set back requirements of ten (10) feet from the side of the lot.
- 7) Docks may be constructed as free-floating or stationary.
- 8) Docks shall be constructed only of non-ferrous materials. Boat lifts shall be constructed of either non-ferrous materials, stainless steel, or galvanized steel.
- 9) A dock and a boat lift shall not have covers.
- 10) Docks may have a maximum of two (2) levels with a maximum separation between levels of eighteen (18) inches.
- 11) A dock shall have no closed structure more than two (2) feet in height.

- 12) The maximum railing height permitted on a dock is four (4) feet.
- 13) A dock shall not extend more than eight (8) feet into the water from the shoreline.
- 14) The frame of a boat lift shall not extend more than twelve (12) feet into the water from the shoreline.
- 15) The outside of the boat lift that protrudes into the lake shall be marked with a reflector of some kind that can be seen both day and night.
- 16) A dock and/or boat lift may be constructed on a lot prior to the erection of a dwelling.
- 17) The HVL POA Architecture Committee may require a \$500.00 returnable Performance Bond for the duration of the dock and/or boat lift construction. (See Subsection I of this section of the Bylaws, Rules and Regulations.) An Occupancy Letter is not required.
- 18) Dearborn County may require a building permit for the dock and/or boat lift construction. The lot owner is responsible for contacting the county to determine if a permit is required.
- 19) Boat docks and boat lifts are not permitted on the small lakes.
- 20) Before any construction begins, any proposed variance to private docks and boat lifts must be reviewed by the HVL POA Lakes Committee and a recommendation regarding the proposed variance will be made to the HVL POA Board of Directors.

P. Fences Rules

- 1) All fences require HVL POA administrative or Architecture Committee approval prior to being built or placed on a lot. When applying for approval, the following items shall be submitted:
 - a. Five (5) copies of the plot plan (may be hand-drawn on a copy of original plot plan) showing the location of the fence on the lot.
 - b. Five (5) copies of a picture or a drawing showing the fence size, elevation and the construction materials to be used.
- 2) A fence will not be approved by the HVL POA or Architecture Committee if it obstructs the view of a neighbor or is determined to be an eyesore, at the discretion of the committee.
- 3) Previously approved fences shall retain approval unless changes to the fencing are made. If so, they shall be resubmitted to the HVL POA for administrative or Architecture Committee approval following any new rules and regulations.
- 4) In general, fences may follow the property line in the rear yard only (from back corner of house), which includes corner lots and must not exceed four (4) feet in height.
- 5) In general, fencing material shall be split rail, chain link, vinyl or PVC. Woven wire farm fencing may only be used in conjunction with split rail fence.
- 6) On a corner lot, the fencing material used at the portion of the back yard that faces on a street shall be limited to split rail with woven wire or decorative fencing.
- 7) Security fences for swimming pools shall meet the Dearborn County building code.

- 8) Privacy fences shall be built on the buildable part of the lot, are not to exceed six (6) feet in height and shall be constructed of wood, vinyl or masonry materials compatible with the style of the house.
- 9) Fencing in front and side yards shall be used for decorative purposes only and cannot be used to enclose the yard.
- 10) Any fence on the golf course side or lakeside of a lot shall be constructed in the buildable part of the lot and galvanized chain link fencing material is prohibited.
- 11) Invisible fences are permitted and do not require HVL POA Architecture Committee approval. However, they may not be placed in the roadway easement area, which is typically the area eleven (11) feet from edge of the roadway. Any electrical equipment used shall meet applicable codes.
- 12) A UL-listed, poly wire, electric fence may be installed to protect landscaping, but it must be approved by the HVL POA Architecture Committee. All electric fences must be no taller than 30", and contain no more than 2 separate wires. All electric fences shall be no more than 20 feet from the house façade facing a street, and at least 5 feet inside the side and rear lot lines. On main lakefront lots, no electric fence may be closer than 25 feet to the summer pool waterline or lot line, whichever is closer to the house. On small lake lots, no electric fence may be closer than 25 feet to the shoreline or lot line, whichever is closer to the house. On the golf course side of any lot abutting the golf course, no electric fence may be closer than 25 feet to that lot line. Fence operations, safety issues, and liability are the full responsibility of the homeowner. The approval by the HVL POA Architecture Committee only concerns the aesthetics of the fence.

Q. Fuel Tanks Rules

- 1) All fuel tanks require HVL POA Architecture Committee approval prior to being installed on a lot. When applying for approval, the following items shall be submitted:
 - a. Five (5) copies of the plot plan (may be hand-drawn on a copy of original plot plan) showing the location of the fuel tank on the lot.
 - b. Five (5) copies of a picture or a drawing showing the fuel tank size.
- 2) The maximum allowed capacity of a fuel tank is five hundred (500) gallons.
- 3) All fuel tanks over two hundred (200) pounds shall be buried in the ground at a minimum setback of the following:
 - a. Front – twenty-five (25) feet.
 - b. Side – ten (10) feet.
 - c. Rear – twenty-five (25) feet.
 - d. Rear (lakefront lot) – fifty (50) feet from the summer pool waterline.
- 4) Buried fuel tanks shall meet all applicable manufacturer's recommendations and codes and shall be coated with a protective material.
- 5) All fuel tanks shall be located a minimum of ten (10) feet from structures and external sources of ignition (such as air-conditioning compressor, heat pump, etc.).
- 6) Fuel tanks over twenty (20) pounds and up to two hundred (200) pounds shall be hidden from sight by a decorative cover with a minimum of lattice sides or picket fencing.

- 7) Gasoline storage tanks larger than ten (10) gallons capacity are not permitted on, nor may be buried in private lots.
- 8) Dearborn County may require a permit for the fuel tank. The lot owner is responsible for contacting the county to determine if a permit is required.
- 9) All unused fuel tanks, above-ground or buried, shall be removed from the property within one year of the last day of use and notification of the removal shall be given to the HVL POA office.

R. Grading and Drainage Rules

- 1) Any change in grading must be approved by the POA.
- 2) Property grading shall be done so that the existing natural ground drainage of the area is not impeded and that storm runoff to adjoining properties is not increased.
- 3) Diverting water onto or under the road is prohibited.
- 4) All water from roof gutters and foundation drains shall be piped separately underground and drained to the nearest/closest watercourse. If no watercourse is available then the water shall be dispersed through rip-rap.
- 5) No new concentrated water flow may leave the property lines by any other means.
- 6) Directing storm water flow into VRUC lines is prohibited.

S. Lake Water Usage Rules

- 1) All heating, cooling, and lawn-watering systems requiring lake water usage require HVL POA Architecture Committee approval prior to being built or placed on a lot. When applying for approval, the following items shall be submitted:
 - a. Five (5) copies of the general description and type of the water system.
 - b. Five (5) copies of the water system plan (may hand-drawn on a copy of original plot plan) showing the location of the system and lines on the lot.
 - c. Five (5) copies of the description of the materials.
- 2) Parties using lake water on their property do so at their own risk without any liability on behalf of the HVL POA.
- 3) The maximum size for the system intake is three (3) inches and one and one half (1.5) inches for the primary system.
- 4) The intake pipe opening shall be at least ten (10) feet below normal high water level and shall not interfere with boating, fishing or swimming, or shall be concealed out of site under a dock.
- 5) System piping shall not cross a road, community property within HVL, or another property owner's lot.
- 6) All system piping in the lake or in contact with lake water shall be made of non-ferrous materials.
- 7) All lake water used shall be returned to the lake.

- 8) Lake water connections to VRUC water or sewer lines is prohibited.
- 9) All system pumps shall be covered and all exposed piping must be concealed.

T. Landscaping Rules

- 1) All homes are to be landscaped. In general, landscaping shall include foundation plantings and mulch to fit the aesthetics of the community. All landscaping must be maintained. Note: Gravel or stones are considered to be mulch. (Effective 10/24/13)
- 2) Railroad ties, large stones and decorative stone walls may be included in the total value of the landscaping but will not count for more than ten (10) per cent of the total required value.
- 3) Credit may be given for an aggregate maximum of fifteen (15) per cent of total required value for out-of-pocket extraordinary measures to preserve mature trees or shrubs pre-existing on the site.
- 4) The landscaping value specifically does not include any excavation, grading, fill dirt, topsoil, structurally-required retaining walls, sod, seeding, mulch or annual plantings.
- 5) Any part of the lot that is cleared or disturbed from its natural state during house construction shall be fine-graded and seeded with grass or other suitable ground cover approved by the HVL POA Architecture Committee.

U. Sheds, Gazebos, Shelters, Dog Runs and Other Lot Improvements Rules

- 1) All sheds, gazebos, and shelters require HVL POA Architecture Committee approval prior to being built or placed on a lot. When applying for approval, the following items shall be submitted:
 - a. Five (5) copies of the building plan (may hand-drawn on a copy of original plot plan) showing the location of the structure on the lot.
 - b. Five (5) copies of a picture or a drawing showing the structure size, elevation and the construction materials to be used.
 - c. If the colors of the improvement do not match the existing house, then color photos or samples of the siding, shingles, trim color and shutter color.
- 2) All structures or lot improvements shall meet the set back requirements for the lot and shall be placed in the side or back yard. (See Subsection K of this section of the Bylaws, Rules and Regulations.)
- 3) More than one shed on a lot is prohibited.
- 4) Only one (1) gazebo or shelter on a lot is permitted.
- 5) Gazebos, shelters, sheds and dog runs shall not be placed closer than fifty (50) feet from the main lake at summer pool.
- 6) The HVL POA Architecture Committee may require a \$500.00 Performance Bond for the duration of the construction of the structure or lot improvement. (See Subsection I of this section of the Bylaws, Rules and Regulations.). An Occupancy Letter is not required.

- 7) Dearborn County may require a building permit for the structure or lot improvement. The lot owner is responsible for contacting the county to determine if a permit is required.
- 8) If your planned structure or lot improvement is not covered by one of the rules above, please contact the HVL POA Community Manager to discuss the correct course of action to obtain HVL POA Architecture Committee approval.
- 9) Outdoor wood fired boilers and outdoor wood fired furnaces are prohibited.

V. Play Structures Rules

- 1) All permanently-attached or anchored swing sets, wooden play sets, playhouses and other play structures require HVL POA Architecture Committee approval prior to being built or placed on a lot. When applying for approval, the following items shall be submitted:
 - a. Five (5) copies of the plot plan (may be hand-drawn on a copy of original plot plan) showing the location of the play structure on the lot.
 - b. Five (5) copies of a picture or a drawing showing the play structure size, elevation and the construction materials to be used.
 - c. If the colors of the planned play structure do not match the existing house, then color photos or samples of the siding, shingles, trim color and shutter color.
- 2) All swing sets, wooden play sets, playhouses, trampolines or other play structures shall meet the setback requirements for the lot and shall be placed in the side or back yard. (See Subsection K of this section of the Bylaws, Rules and Regulations.)
- 3) Only one (1) wooden play set or swing set per lot is allowed.
- 4) The HVL POA Architecture Committee may require a \$500.00 returnable Performance Bond for the duration of the construction of the swing set, wooden play set, playhouse, trampoline or other play structure. (See Subsection I of this section of the Bylaws, Rules and Regulations.) An Occupancy Letter is not required.
- 5) Dearborn County may require a building permit for the swing set, wooden play set, playhouse, trampoline or other play structure. The lot owner is responsible for contacting the county to determine if a permit is required.
- 6) If your planned play structure is not covered by one of the rules above, please contact the HVL POA Community Manager to discuss the correct course of action to obtain HVL POA Architecture Committee approval.

W. Exterior Walls Rules (includes Retaining Walls)

- 1) All retaining walls over eighteen (18) inches high require HVL POA Architecture Committee approval prior to being constructed on a lot. Any exterior wall, even those 18 inches high or less, constructed with a concrete footer or using mortar or poured concrete in the construction, also requires POA Architecture Committee approval prior to being constructed on a lot. When applying for approval, the following items shall be submitted:
 - a. Five (5) copies of the plot plan (may be hand-drawn on a copy of original plot plan) showing the location of the exterior wall on the lot.
 - b. Five (5) copies of a picture or a drawing showing the exterior wall size, elevation and the construction materials to be used.

- 2) Although exterior walls eighteen (18) inches less in height do not require Architecture Committee approval prior to construction, the walls must still adhere to the specifications in Section W, as applicable.
- 3) All exterior walls shall be constructed in accordance with the manufacturer's design specifications or engineer's design specifications.
- 4) All hollow exterior walls shall have a childproof cap or be filled with aggregate.
- 5) All retaining walls over four (4) feet in height shall have a security fence that meets the Dearborn County same code requirements for deck railing or have a three-rail split rail fence with a mesh liner.
- 6) Exterior walls shall be constructed of poured concrete, concrete blocks, brick, stone, or wood. The design or color scheme of the exterior walls shall be in harmony with the general surroundings or with adjacent buildings or structures.
- 7) Provisions for drainage of the backfill shall be made either by means of weep holes in the retaining wall or with perforated pipe of four (4) inch minimum diameter laid at the base of the backfill and having proper gradient to an outlet.
- 8) Concrete blocks with reinforcing rods and poured concrete may be used in the construction of exterior walls. However, the face of the wall shall be finished so that the concrete block is no longer exposed.
- 9) The HVL POA Architecture Committee may require a \$500 returnable Performance Bond for the duration of the construction of the exterior wall. (See Subsection I of this section of the Bylaws, Rules and Regulations.) An Occupancy Letter is not required.
- 10) Dearborn County may require a building permit for the exterior wall construction. The lot owner is responsible for contacting the county to determine if a permit is required.

X. Seawalls, Shoreline Protection and Shoreline Reclamation Rules

- 1) A lakefront property owner, at his/her own expense, may construct a seawall to protect or reclaim his/her property at the lakefront.
- 2) All seawalls require HVL POA Architecture Committee approval prior to being constructed or placed on a lot. When applying for approval, the following items must be submitted:
 - a. Five (5) copies of the plot plan (may be hand-drawn on a copy of original plot plan) showing the location of the new shoreline construction on the lot.
 - b. Five (5) copies of a picture or a drawing showing the new shoreline construction size, elevation and the construction materials to be used.
- 3) The HVL POA Architecture Committee requires a \$500 returnable Performance Bond for the duration of the shoreline construction project. (See Subsection I of this section of the Bylaws, Rules and Regulations.) An Occupancy Letter is not required.
- 4) The property line at the lakeside shall be surveyed by an Indiana-registered surveyor and staked prior to the start of the shoreline construction project. A seawall may extend to the property line.

- 5) Property may be reclaimed to the property line or water line at normal low pool, whichever is less.
- 6) Seawall construction shall follow the contour of the water at normal low pool.
- 7) A seawall shall be built of natural materials or concrete. Non-locking concrete block shall not be used in the construction of seawalls.
- 8) The top of a seawall shall not be constructed higher than twenty-four (24) inches above the water at normal high pool.
- 9) All backfill material used in seawall construction shall be natural material.
- 10) Any existing seawall that is altered, added to, or changed in any manner shall be required to conform to the current rules.
- 11) Construction of a new seawall with sandbags or bagged concrete is prohibited.
- 12) Erection of seawalls, the placement of shoreline protection or shoreline reclamation may be undertaken on a lot prior to the erection of a dwelling.
- 13) Dearborn County may require a building permit for the construction of seawalls or other shoreline protection. The lot owner is responsible for contacting the county to determine if a permit is required.
- 14) Before any construction begins, any proposed variance to seawalls, shoreline protection and shoreline reclamation must be reviewed by the HVL POA Lakes Committee and a recommendation regarding the proposed variance will be made to the HVL POA Board of Directors.
- 15) Any dredging requests are required to attend a Lakes Committee meeting with their plans and get approval prior to dredging.

Y. TV Antennas, Towers and Satellite Dishes Rules

- 1) TV antennas and towers shall be attached to the main residential structure and shall not exceed a height of fifteen (15) feet above the highest point of that structure.
- 2) Installing a satellite dish one meter (39 inches) or larger in diameter at its widest point is prohibited within Hidden Valley Lake.
- 3) A satellite dish less than one meter (39 inches) in diameter at its widest point may be installed without prior HVL POA Architecture Committee approval provided it is placed in an inconspicuous location and does not interfere with the welfare or property rights of another owner in Hidden Valley Lake.

Z. In-Ground and Above-Ground Pools Rules

- 1) All in-ground and above-ground pools require HVL POA Architecture Committee approval prior to being built or placed on a lot. When applying for approval, the following items shall be submitted:
 - a. Five (5) copies of the building plan (may be hand-drawn on a copy of original plot plan) showing the location of the pool on the lot.

- b. Five (5) copies of a picture or a drawing showing the pool size, elevation and the construction materials to be used.
 - c. For above-ground pools, color photos or samples of the siding and color of the pool.
- 2) All pools shall meet the set back requirements for the lot and shall be located only in the back yard. (See Subsection K of this section of the Bylaws, Rules and Regulations.)
 - 3) Any pool surrounds and pool fencing shall be located within the buildable part of the lot. (See Subsection K of this section of the Bylaws, Rules and Regulations.)
 - 4) Only one pool is permitted on a lot.
 - 5) Pools shall not be placed closer than fifty (50) feet from the main lake at summer pool.
 - 6) In-ground pool corners and offsets from the property lines and other such points shall be staked by an Indiana-registered surveyor to indicate the location of the pool on the lot.
 - 7) The HVL POA Architecture Committee requires a \$500.00 Performance Bond for the duration of the construction of the pool. (See Subsection I of this section of the Bylaws, Rules and Regulations.). A Dearborn County Certificate of Occupancy Letter for pools is required.
 - 8) All in-ground and above-ground pools shall conform to the provisions of the Dearborn County Building Code and all the relevant laws, ordinances, rules and regulations.
 - 9) Dearborn County may require a building permit for the pool. The lot owner is responsible for contacting the county to determine if a permit is required.

AA. Parking Pads

- 1) Gravel parking pads shall be constructed with a plastic underlayment or other underlayment suitable for controlling weed growth. Gravel will be a minimum of four (4) inches deep surrounded by a permanent border to contain the gravel. Note: This rule pertains to new parking pads only. (Effective 10/24/13).
- 2) Parking pads shall be contiguous and parallel to either the street or to the driveway and between 8’ – 10’ wide and no larger than 360 square feet per lot. Multiple parking pads are permitted but the total square footage of all parking pads on any lot shall not exceed 360 square feet. Contiguous lots shall be considered as one lot. This rule pertains to parking pads constructed after 8/25/16. Requests for exceptions will be considered by the Architecture Committee on a case-by-case basis.

Section 203. Architecture Checklists, Forms and Applications

A. General Information

Section 202. Architecture of the Bylaws, Rules and Regulations references a number of different checklists, forms and applications required complete architectural and construction work within HVL. Copies of these documents are available from the HVL POA Office.

B. List of Forms

- 1) Application for Building Permit, Notice of Building Requirements and Agreement to Comply with Building Requirements
- 2) Application for Ditch/Driveway Culvert Permit
- 3) Application for Performance Bond for Construction
- 4) Application for Performance Bond Return
- 5) Building Permit Checklist for Additions or Changes to Existing Structures
- 6) Building Permit Checklist for New Structures
- 7) Declaration of Contiguous Lots
- 8) Declaration of Discontiguous Lots
- 9) Disclaimer of Contiguous Lots
- 10) General Rules for Construction of New Structures or Additions or Changes to Existing Structures