

**Lakewood Board of Directors**  
**Special Meeting for Bylaws, Covenants Revision Review**  
**January 28, 2019 6:30 pm**  
**Phone Conference**

**Present: Eric, Steve, Maureen, Kelly, Terry, Betty, Kathleen**

**Absent: None**

*Suggested Additions/Revisions to Lakewood POA Bylaws from Husch Blackwell Law*

**3.1 Single Dwelling. No building or structure shall be constructed upon a Lot other than a single family residence and a one or two-car garage, and no Lot shall be used for other than residential purposes. Each Lot must include a single family residence; Lots may not have just a garage or outbuilding constructed on them.**

Points of Discussion

1. "one or two car garage" - change to garage and/or storage building(s)

Motion made by Eric to accept, seconded by Kelly. All in favor, none opposed. Motion carried.

2. Each lot must include a single family home before a garage or storage building is constructed.

Motion made by Eric to accept, seconded by Maureen. All in favor, none opposed. Motion carried.

3. If a property owner owns more than 1 lot, they may build a garage on one lot but the two lots will become indivisible upon sale.

Motion made by Eric to accept, seconded by Kelly All in favor, none opposed. Motion carried.

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**3.3 Prohibited Structures. No plastic garages or sheds, makeshift lean-tos, garages with living quarters, or year-round snow fences shall be allowed. Any Lot Owner wishing to construct a garage, shed, fence, outbuilding, or any permanent structure on his or her Lot, and any Lot Owner wishing to change the exterior appearance of the existing structures on his or her Lot in any manner, must first seek and obtain the written approval of the Board of Directors as to size, placement, and materials used in construction or improvement.**

Points of Discussion

1. Move "year-around" to beginning of sentence. ("no year-round plastic garages...allowed").

Kathleen suggested May-November as timeframe. Consensus that it should be specific timeframe if we allow non-permanent shelters at all. Plus we need to define better than "plastic". Add pvc, tarp, fabric, cloth, non-sturdy materials etc. Eric would like to add the words "include but not exclusive to" so it is relevant and all-inclusive now and in the future. Kelly thinks that people will abide by takedown times, we would have to send warning letters, impose fines, etc. Eric thinks present tents should be grandfathered. Kelly stated they are not permanent so do not need to be grandfathered.

Motion made by Maureen to abolish all non-permanent shelters. Eric seconded. Eric, Steve, Kelly, Maureen, Terry and Betty in favor, Kathleen opposed.

2. Add "chainlink, chicken wire, barbed wire fence" to prohibited.

Chain link allowable with height restriction and behind the house. Pools must be fenced off. Kelly mentioned that the subject has come up at annual meetings and members don't like fences. Backyard purpose for dogs, etc not in front yard. Kathleen and others don't want kennels for pets. All fences

Motion by Eric to accept, seconded by Maureen, restrictions on materials- chicken wire, barbed wire, snow fence, minimum 50' distance to road, placed in the back yard and at least 10-20' from lot lines, 48" height, fences. Wood, chain link approved. Fences need approval of full Board. Requests should be emailed to [talktous@lakewoodpoa.org](mailto:talktous@lakewoodpoa.org). All in favor, none opposed. Motion carried.

3. Define size max that would accommodate several recreational toys (30 x 40 x12?)

½ acre lots cannot accommodate large pole barns. Adams county has setbacks and lot line requirements. Not to exceed 1200 square ft. Obstructing neighbor's view. There is a lot of unrestricted building going on now. Trees are being cleared out. Building plans would need be approved by Board. 14' Ceiling Height restriction?

Motion made by Eric that garages and storage buildings be maximum of 1200 sq. ft, abide by setback and easements as required by Adams County planning and zoning. No living quarters in unattached garage. Plans would be approved by full Board. Maureen seconded. All in favor, none opposed. Motion carried.

4. "Placement" (10 ft off neighboring lot line and 50 ft off center of road)

Setbacks as required by Adams county zoning or 50 ft off center. Approved under last motion.

5. Add to " Materials" for outbuildings and fences -"materials that conform to the colors, materials, style, and look of the existing residential dwelling and conform to surrounding landscape and Lakewood residential dwellings."

Motion made by Eric to use verbatim language of Lake Sherwood covenants/bylaws 5-7. See attached\*. Kelly seconded. All in favor, none opposed. Motion carried.

4. Add: "Storage building enclosures must be integral to the building, not plastic or canvas tarp or other temporary material."

Motion made by Eric that we tie that in with the no tarps rule above. Maureen seconded. All in favor, none opposed.

5. Garages with living quarters allowed as long as there is a house already on the lot.

We could put color on the website scheme browns, rust, greens and colors that match the natural surroundings..

Motion made by Eric to allow attached garages to have living quarters above but not unattached. Kelly seconded. All in favor, none opposed.

6. Add "The board reserves the right to exercise reasonable bias to maintain conventions within the community to support the sustained growth of surrounding property values and may act to enforce the preservation of Lakewood

property values when certain residential dwellings, garages, sheds, temporary or permanent attachments fall into disrepair or alterations of improved property exteriors fall outside the margin of a reasonable woodland residential exterior, when compared to conforming neighboring existing Lakewood residential dwellings. Every reasonable attempt will be made to communicate to homeowners when their property improvements fall outside of the Lakewood HOA covenants prior to any actions from the board to make improvements or initiate repairs to a Lakewood residence, garage, shed, or exterior improvement."

Motion made Eric to approve with a few tweaks. Terry seconded. All in favor, none opposed.

Lake Sherwood's Covenants 5-7 for reference only:

\*5. Structure Erection Approval, Set Backs and Completion Times

5.1 All Structures on Lots shall be erected/built only after approval first by the Association and then the Town of Rome. Both approvals shall be obtained prior to the start of the Structures' erection/building.

5.2 Structures shall be set back: 1. At least seventy five (75) feet from the established normal water line. 2. One hundred ten (110) feet from the center of a state highway or 50 feet from the Lot line, whichever is greater; eighty three (83) feet from the center of a county highway or fifty (50) feet from the lot line, whichever is greater; sixty three (63) feet from the center of a town highway or thirty (30) feet from the lot line, whichever is greater. 3. Ten (10) feet from any side or rear Lot line.

5.3 Structure exteriors shall be completed within six (6) months from the Town of Rome Building Permit issue date; unless approval to extend the completion date is obtained from the Association.

6. Single Family Residence Dwellings Structures 6.1 Only one Single Family Residential Dwelling shall be erected/built on a Lot. Single Family Residential Dwellings shall be erected/built with a ground floor area of at least seven hundred sixty (760) square feet, exclusive of porches, decks, garages, etc. and not exceed thirty-five (35) feet in height.

## 7. Accessory Buildings and Structures

7.1 Accessory Building Structures shall: 1. Primarily be used for storage or for another use customarily incidental to the use of the Lot. 2. Not be used for human habitation. 3. Be constructed of similar materials and have an overall appearance and color consistent with the Single Family Residential Dwelling on the Lot. 4. Be constructed of materials and of a color that blends with the natural land environment on a Vacant or Camping Lot. 5. Be maintained properly to its initial condition.

7.2 A Garage Accessory Building Structure on a Lot shall not be erected/built on a Lot unless the Lot contains Single Family Residential Dwelling.

7.3 A Storage Shed Accessory Building Structure on a Lot shall not exceed one hundred fifty (150) square feet of floor area, ten (10) feet in height, and sixteen (16) inches of roof overhang.

7.4 An Unroofed Deck Structure on a Camping Lot or Vacant Lot shall not exceed four hundred (400) square feet, eight (8) inches in height, ten (10) feet in width and twenty (20) feet in length with the exception of a Unroofed Deck Structure on a Camping Lot with a Camping Unit when the deck length shall not be greater than the Camping Unit.

7.5 On a Lot with a Single Family Residential Dwelling where the Lot is less than or equal to 22,000 square feet, one Accessory Building may be erected/built in addition to the Single Family Residential Dwelling. This Accessory Building may be a Detached Garage or Storage Shed. Owners of unique Lots may request approval from the Association to erect two Accessory Buildings.

7.6 On a Lot with a Single Family Residential Dwelling where the Lot is in excess of 22,000 square feet; two Accessory Buildings may be erected/built in addition to the Single Family Residential Dwelling. These Accessory Buildings may be one Detached Garage and one Storage Shed. Owners of unique Lots may request approval from the Association for a variation in allowable Accessory Buildings.