

MUSKINGUM WATERSHED CONSERVANCY DISTRICT

P.O. Box 349, 1319 Third Street, NW
New Philadelphia, OH 44663

RESIDENTIAL CONSTRUCTION & MAINTENANCE REQUIREMENTS

Revised August 23, 2002

It is the intention of the Board of Directors of the Muskingum Watershed Conservancy District that improvements to and on its lands leased for residential purposes be constructed in such a manner as to have them blend into their natural surroundings. Any construction or maintenance to an existing improvement on Conservancy District land requires prior approval from the Conservancy District. Plans and specifications for all construction and exterior maintenance to an existing improvement must be submitted for approval to, and approved by the Conservancy District before construction begins. All plans shall include the color samples of materials to be used on any exterior surfaces of buildings and structures. With the exception of the colors of exterior surfaces, variances from the requirements may be granted based on demonstrated need on a case-by-case basis. Any variation from the following requirements must receive prior approval from the Conservancy District. No construction may occur without obtaining the required permit.

1. DEFINITIONS

(a) **Building** – a combination of materials that form a construction that is safe and stable, and adapted to permanent or continuous occupancy for public, institutional, residential, business, or industrial purposes.

(b) **Improvement** – any authorized addition made to Conservancy District property that goes beyond mere repair or replacement, such as erecting a building or structure.

(c) **Structure** – anything constructed, the use of which requires permanent location on the ground, or attached to something having a permanent location on the ground.

(d) **Personal Property** – any property that is easily moveable and not permanently attached to the land. Personal property is not regulated by these requirements.

2. PLANS AND SPECIFICATIONS must be submitted for all improvements, including new residences, buildings, additions, exterior alterations, and landscaping, and shall include, but not be limited to, the following:

(a) Site plan showing location of improvements, including buildings, drive, well, and waste-water system and the distance of buildings from the nearest lot line, which distance must be at least fifteen (15) feet, and a grading plan with arrows denoting direction of existing and proposed surface drainage.

(b) Elevation view of the lake side and one end of any building.

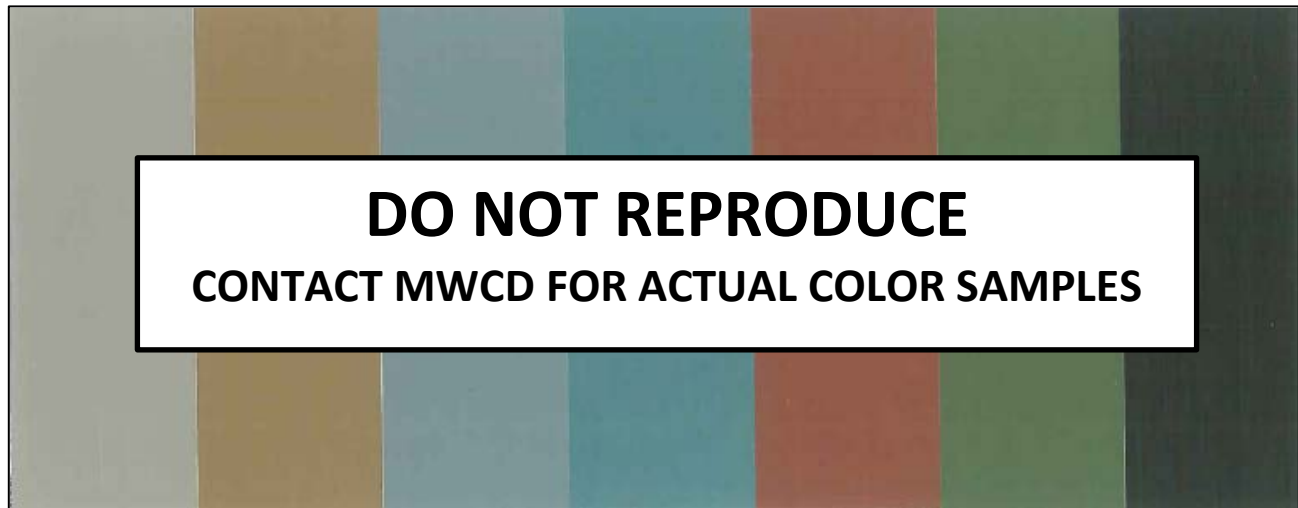
(c) A section cut through any building showing arrangement of foundation, floor, walls, roof members, and other structural members.

(d) Foundation depth and material, flooring and subflooring size, size and spacing of floor joists, wall studs and rafters, the type and color of roofing material and siding, and all other data pertinent to the particular improvement. Specifications for all exterior materials such as roofing, stone, brick, stain and paint colors must be identified in the plans. The submission of samples will be required if materials do not conform to the specific standard colors, as specified in Section 3.(b) below. Additional information regarding the specific standard colors is on file and available in the Muskingum Watershed Conservancy District offices in New Philadelphia. Any construction completed that does not meet the submitted plans and specifications will be subject to removal at the lessee's expense.

3. BUILDING MATERIALS AND COLORS

(a) **A Construction Permit** must be obtained prior to the painting and/or installation or replacement of any exterior surface material.

(b) **Exterior Painted, Stained or Manufactured Color** other than as specified in 3.(c), (d), (e), (f) and (g) below shall include, but not be limited to, buildings, structures, window trim, entry doors and trim, gutters, siding, foundation, fences, retaining walls, signage, and any other exterior improvements. These Exterior Surfaces must conform to the following specific color shades or be darker in a non-gloss paint or stain:



TAUPE BROWN GRAY BLUE RED GREEN BLACK

These colors are the finished shade required after they are dry on the specified surface.

(c) **Natural Wood Surfaces** may remain unfinished, or may be treated with a clear sealer or preservative that allows the original wood color to be maintained. Foundation walls, daylight basement walls, and trim surfaces on structures maintained with natural wood siding may be permitted to be painted or stained to match the natural wood siding color.

(d) **Vertical Concrete and Concrete Block Surfaces** including foundation walls, daylight basement walls, retaining walls, and chimneys are required to be painted or stained an approved color.

(e) **Windows and Garage Doors** must conform to colors approved by the Conservancy District. Window and Garage Door color samples are maintained on file in the Conservancy District office in New Philadelphia for review.

(f) **Roofing Material** must conform to colors approved by the Conservancy District. Roofing samples are maintained on file in the Conservancy District Office in New Philadelphia for review. Natural wood shake shingles are permitted. A sample of roofing must be submitted with plans. Roll roofing may be used only on flat roofs; i.e., on roofs flatter than a three in-twelve-slope.

(g) **Vinyl and Aluminum Siding Material** must conform to colors approved by the Conservancy District. Vinyl and Aluminum Siding Material color samples are maintained on file in the Conservancy District office in New Philadelphia for review.

4. **SANITATION** Location and design of water and sanitary facilities must be approved by the County Sanitarian in addition to the Conservancy District before any well is drilled or waste-water system is installed.

5. **TREES** You are permitted to cut such trees as are necessary to clear the area required for your approved improvements. Before cutting any trees, you must obtain a tree permit from the Conservancy District. Generally, trees on the area between leased areas and the lake may not be removed.

6. **PROPERTY CORNER MARKERS** At the corners of leased areas there are permanent iron pins set flush with the ground. These mark the corners of the leased lot. If they are destroyed through actions of the lessee, they will be reset by the Conservancy District. The lessee may be billed for expenses incurred in resetting the pin(s).

7. **CULVERTS** It is the responsibility of the lessee to maintain and keep clear the drainage way for any access to their leased area or on their leased area. Please contact the MWCD manager of engineering regarding any driveway culvert and/or drainage pipe installation requests.

8. **ALL COMMON CONSTRUCTIONS** All common construction, including fences, storage sheds, signage, satellite dish antennas, retaining walls, TV towers, boat docks, boat lifts, shoreline access steps, etc., require a construction permit prior to installation. Please contact the Conservancy District for details regarding such construction.

9. **PERMIT FEES** Any permit issued involving major construction or additions which alter the exterior dimensions of improvements on the leased Property requires a fee. There is no fee required for general maintenance work to existing improvements; however, a permit must still be obtained. A minimum assessment of \$100.00 will be charged for any exterior construction or maintenance initiated without a construction permit or District authorization. This fee will be set by the Board of Directors based on the circumstances involved. These fees and requirements are in addition to any local or state fees and requirements which may apply.

SPECIAL NOTE: Lands below spillway elevation are subject to the provisions of Flood Easements held by either the Muskingum Watershed Conservancy District or the United States of America. This easement gives them the right to remove, or have removed, buildings below spillway elevation.

MWCD Residential Requirements February 6, 1996