



# **Lakewood Property Owners Association**

**Architectural Review Board and  
Alterations Review Committee  
(ARB/ARC)  
8/13/2020)**

# Guidelines for Modification to Existing Structure

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# SECTION I

## INTRODUCTION AND PURPOSE OF ARB/ARC

### **PART A: GENERAL POLICY**

Article VII of the Declaration of the Covenants, Conditions and Restrictions for the Lakewood Property Owners Association (LPOA) is that section that establishes the Architectural Review Board that regulates the external design, appearance, use, location and maintenance of the properties within Lakewood. The purpose of these guidelines is to communicate to LPOA members the requirements and limitation for property alterations, changes and upgrades.

#### **General Policies**

1. Any addition to an existing building, exterior alterations, new landscaping, change in an existing building, roofing materials, or any new detached structure must have the approval of ARB/ARC before any work is undertaken. Examples of such projects include but are not limited to a deck, patio, fireplace, fence, landscaping, sprinkler system, etc.
2. Any addition, exterior alterations, or change to an existing building shall be compatible with the design character of the original building.

### **PART B: APPLICATION REQUIREMENTS FOR ALL IMPROVEMENTS**

#### **The applicant shall submit:**

1. Improvement Permit Application (See Attachment C) along with the following. This application can be submitted anytime but must be in by 5:00 p.m. on the Monday one week prior to ARB/ARC meeting dates, for the application to be considered at that meeting. The application should also include:
  - a. One (1) copy of a plot plan showing the location of the proposed improvements on the lot.
  - b. One (1) copy of front, rear, and side elevations with floor plan and structural cross-sections where applicable for additions and structural revisions. Plans or specifications should indicate the type of materials and the color of exterior.
  - c. Paint chips or description of current house colors, as well as paint chips of requested color changes.
2. Application shall always be made for removal, replacement or addition of all trees. (See dead & storm damaged trees on private property).
3. Application shall always be made for stone edging over eight inches (8") in height and all retaining walls.

### **PART C: LPOA PROPERTY MAINTENANCE CODE**

**Dwelling Exterior: Floors, Walls, Foundations, Chimneys & Appurtenances:** The exterior of every structure or accessory structure (including fences) shall be maintained in good repair. The same shall be maintained free of broken glass, loose shingles or boards, crumbling stone or brick, excessive peeling paint or other condition reflective of deterioration or inadequate maintenance to the end that the property itself may be preserved, safety and fire hazards eliminated, and adjoining properties protected from blighting influences.

All exterior walls, including screened off areas, doors and windows shall be free from holes, breaks, loose or rotting materials and maintained weather proof and properly surface coated where required to prevent surface deterioration. If exterior material is not naturally decay resistant, then proper surface coating shall mean either treatment with chemicals to prevent decay, painting or other similar treatment. All wood shall be maintained in a weather-proof condition and shall be free from loose materials including mortar joints.

Aggregate wall areas (complete sides or sections) shall be treated with like substances (i.e. paint or stain) to create a cohesive look. Such treatment shall give the wall section a uniform appearance in color and at no time shall portions of wall surfaces be allowed to deteriorate or be treated with dissimilar substances creating a patchwork appearance. The only exceptions shall be when a wall surface is being primed prior to final application of wall surface treatment, which must be completed within thirty (30) days, or trim work that may be a different color to provide contrast.

All cornices, entablatures, terra cotta trim, wall facings and similar decorative features shall be maintained in good repair with the proper anchorage and in a safe condition, and be treated in a similar manner as wall surfaces.

All chimneys, flue and vent attachments thereto shall be maintained structurally sound and in good repair. All exposed surfaces of metal or wood shall be protected from the elements and against decay or rust by the periodic application of weather coating materials such as paint or similar surface treatment.

**Screens, Windows and Doors:** Every exterior opening shall be fitted with a window, door or basement hatchway cover, as appropriate, which shall be tight and maintained in sound condition and good repair.

Every window shall be fully supplied with glazing material, which is free of cracks and holes. Every window sash shall be in good condition and fit reasonably tight within its framework, which is free from rotting, splitting and crumbling. Screens shall be of a like material and fit, and shall be mounted in a consistent manner.

Every exterior door, including garage doors, when closed, shall fit within its frame and shall be free of holes, rotting, buckling and splitting. Every exterior door hinge and door latch shall be structurally sound, free of rusting and crumbling, and firmly attached to the appropriate structure. Knobs and/or handles shall be properly installed on all doors. All sliding doors shall have guides to prevent falling out of track.

**Roofs, Guttering, Downspouts, Splash Blocks, Grading and Drainage:** The roof, including soffit, fascia and flashing shall be sound, tight in a level plane, with straight lines, free from sags and not have any defects which admit rain. Roof water shall not be discharged in a manner which creates damage to other property. Downspouts and gutters shall be firmly attached, free of debris and leakage.

All premises shall be graded and maintained so as to prevent the accumulation of water thereon. Surface water shall not be discharged in a manner that creates a nuisance to occupants of adjacent property.

**Steps, Decks, Patios, Porches, Walks and Driveways:** Hard surfaces, walkways and driveways on private property shall be the responsibility of the parcel and/or individual property owner. Steps, walks, driveways and similar paved areas shall be maintained so as to afford safe passage under normal use and weather conditions. Driveways, walkways and patios shall be maintained in good repair and free of safety hazards.

Every stairway outside of the dwelling and every deck and porch shall be kept in safe condition and sound repair, and capable of supporting the loads to which they are subjected. Every flight of stairs and every porch and deck floor shall be free of deterioration. Every rail and balustrade shall be firmly fastened and maintained in good condition. No stairs, steps or deck shall have settled or pulled away from supporting or adjacent structures so as to create a safety hazard. No stairs shall have rotting, loose or deteriorating supports. The treads and risers of every flight of stairs shall be uniform in width and height. Every porch and deck shall have a sound floor. No porch or deck shall have rotting, loose or deteriorating supports.

**Weeds, Grasses, Shrubs and Trees:** Lots, tracts and home-sites shall be kept in good condition as soil, climate and other natural conditions permit.

Landscaping and lawns, hedges and bushes shall be kept trimmed and from becoming overgrown and unsightly where exposed to public view and where the same constitutes a blighting factor depreciating adjoining property. All premises shall be maintained free from weeds and grasses, except ornamental grasses, in excess of six inches (6").

All shrubbery shall be maintained free of disease and/or decay. Trees and shrubs shall be kept neatly trimmed.

Every owner shall place lawn trimmings, bush trimmings and other yard debris in suitable containers or tie in bundles. The containers and bundles shall not be placed at the street curb more than twenty-four (24) hours prior to the anticipated time of collection. All trimmings, prior to collection, shall be placed behind the front line of the house.

**Abandoned, Junked and/or Inoperable Vehicles and Personal Property:** Inoperable vehicles which are junked, wrecked, dismantled, inoperative, discarded, unregistered, unlicensed or abandoned shall be prohibited. No vehicle at any time shall be in a major state of disassembly, disrepair, or in the process of being stripped or dismantled.

Any one of the following conditions shall raise the presumption that motor vehicle is junked, wrecked or inoperable:

1. Any vehicle which does not have a valid state safety inspection sticker and/or current license plate displayed;
2. Placement of the vehicle or parts thereof upon jacks, blocks or other supports;
3. Absence of one or more parts of the vehicle necessary for the lawful operation of the vehicle upon the street or highway.

Equipment or personal property of any kind, which is no longer safely usable for the purpose for which it was manufactured, is prohibited. Unsheltered storage of old, unused, stripped, junked and other vehicles not in good and safe operating condition and of any other vehicles, machinery, implements is prohibited.

Any Lakewood resident who is the record owner of the property where a project is approved, may at his election, construct, install or otherwise perform a project, with the proviso that the final inspector (ARB/ARC Committee person and/or LPOA's ARB/ARC Coordinator) will be presented with a professional grade or quality project at the conclusion of the work.

**Each individual property owner is responsible for acquiring all Permits from the City of Lee's Summit and abiding by all City Codes.**

### **Community Development**

The owner of a corner lot may not construct or plant anything that will obstruct the view from 2 to 8 feet above the ground within a triangle formed by two 25 foot sides measured along the property line from their intersection at the corner joined by a straight line. This forms the sterile triangle, which provides visibility for vehicular traffic.

### **State of Missouri Requirements**

The Missouri Underground Facility Safety and Damage Prevention statute (RSMo Chapter 319) provides for a notification center to be used by participating utilities to receive locate requests. Missouri One Call System, Inc. (MOCS), operating as a non-profit Missouri corporation, is such a notification center providing

a single-point of contact for notification to its members through a state wide toll-free telephone number operating 24 hours a day, seven days a week. MOCS was established in 1986 and currently is providing statewide services to utilities and excavators to comply with the law.

This law applies to any person excavating in the state of Missouri. 1-800-DIG-RITE

**PART D: ENFORCEMENT OF GUIDELINES FOR ARCHITECTURAL REVIEW BOARD/ALTERATIONS REVIEW COMMITTEE (ARB/ARC)**

The Means of enforcement of Lakewood's ARB/ARC Guidelines are provided by terms contained in the Covenants, Conditions and Restrictions document filed August 28, 1973 on all property sold thereafter at Lakewood (Jackson County, Missouri Document #1-162473). These e Covenants generally provide that the ARB/ARC has the right and the duty to promulgate and enforce reasonable rules to "regulate the external design, appearance, use, location and maintenance of the Properties and of improvements thereon in such a manner so as to preserve and enhance values and to maintain a harmonious relationship among structures and the natural vegetation and topography." Therefore, these Guidelines represent specific written interpretations issued by ARB/ARC as the means of satisfying the LPOA obligation to regulate property use at Lakewood.

The Covenants provide that the LPOA, after due notice to the landowner, may enter onto any property being modified in violation of these Guidelines and correct the violation. The cost of such correction of the violation will be assessed against the land in violation and, if not paid on a timely basis by the landowner, becomes a lien on the property. This is also referenced in the LPOA Rules & Regulations under Article VI, Architectural Review and Alteration Guidelines and Rules.

**PART E: LACK OF CONSTRUCTION AFTER APPROVAL**

An approval for construction stands for one year. Construction must be commenced within six (6) months of said approval or new approval must be sought if the construction or improvement originally approved has not taken place. Once commenced, the construction shall be completed within six (6) months unless a request for extension is made to ARB/ARC, with good cause. ARB/ARC may grant one three-month (3 month) extension. If an extension is not requested or granted, fines and points may be assessed to members account.

The ARB/ARC established the following guidelines for specific types of construction and improvements at Lakewood.

**SECTION II  
MAJOR ADDITIONS TO A HOME, OR REBUILD OF A HOME**

NO NEW CONSTRUCTION, IMPROVEMENT TO AN EXISTING STRUCTURE, OR MAJOR RELANDSCAPING MAY BE INITIATED WITHOUT APPROVAL OF THE ALTERATIONS REVIEW COMMITTEE.

**SECTION III  
LANDSCAPING**

**Part A: APPLICATION FOR LANDSCAPE IMPROVEMENTS**

Landscape improvements are considered to be terraces, retaining walls (stone, garden timbers, railroad ties), vegetation or dense shelter belts, walks, detached patios.



**The following may be approved by the LPOA ARB/ARC Officer upon completion of a Landscape Application, accompanied by a completed landscape plan and plot plan showing exact location, type, color, and quantity of all materials used:**

1. Foundation plantings extending out from the foundation more than 6', but no more than 12', including application of dirt, mulch and rock, and decorative edging.

**No application for approval of Landscape improvements is required for the following projects:**

1. Foundation plantings extending out from the foundation no more than 6', including the application of dirt, mulch and rock and excluding decorative stone edging and retaining walls.
2. Removal and/or exact replacement of diseased or dead shrubs on owner's property;
3. Planting of low growing, perennial and annual flowers in existing flowerbeds or berms.
4. Removal of flower beds and replacing with grass or sod.
5. Normal trimming of shrubs, bushes and trees, providing that the shrubs, bushes or trees are not destroyed or harmed in such a way that would necessitate removal of the shrubs, bushes or trees.
6. Filling low spots in the yard with dirt and sod providing that water is not diverted onto neighboring properties as a result of the leveling. Full sodding of front, side and rear yard is required for all single-family residences. Seeding may be used to replenish when repairs are required.
7. Installation of low voltage landscape lights providing that the lights are directed toward the residents own property and not neighboring properties.
8. Replacement of existing retaining walls under four feet (4') in height with natural stone or pavenstone providing the location of the wall, height and length of the wall does not change.
9. Installation of City drawn sprinkler systems providing that no sprinkler heads are placed on Common Ground and that City permits for back flow valves and Right-Of-Way Excavation are obtained.

**When submitting an application for landscape improvements, they applicant shall include:**

1. One (1) copy of plot plan showing the location of the proposed improvements on the lot, existing grades at the nearest property line with proposed finish grades as applicable to the improvement.
2. One (1) copy of additional plans as required to evaluate the appearance of the improvements and type of construction; including the type of materials used, the color of the finished improvement and type of vegetation, if any.
3. Submit one (1) copy of plot plan showing location of tree/trees to be removed and/or replaced (see dead and storm damaged trees on private property).

## **PART B: LANDSCAPING PLANTING AND BORDERS**

1. Trees, hedges and shrubs which restrict sight lines for vehicular traffic shall be cut back or removed. Shrubs, hedges and trees will not be permitted to unduly restrict the view of the lake or amenities from other properties.
2. Special landscaping, other than around the home's foundation, must be approved by the ARB/ARC prior to its installation.
3. Decorative trellises and landscape borders of a fence-like appearance may be installed in front of the foundation line of a residence upon approval by the ARB/ARC, so long as said construction:
  - a. is no greater than thirty six inches (36") in height, unless a greater height is approved by ARB/ARC due to unique circumstances on the lot;
  - b. is no more than thirty six feet (36') in length, unless approved by the ARB/ARC due to unique circumstances of the lot;
  - c. does not entirely enclose the area of a yard so as to constitute fencing;

- d. is limited to a border constructed of ARB/ARC approved materials. Not to be of chain link or other galvanized metal fencing, i.e. coated wire mesh;
- e. is in conformity with the architectural design of the home and community;
- f. does not unduly restrict view of the lake, amenities or other property, and shall not be of solid "stockade type" construction.

**Falls at Lakewood**

1. No landscaping (other than trees and landscaping installed by or for the Developer or the Association) shall be installed or maintained more than five feet from the exterior front and rear walls or more than three feet from the exterior side walls, of the applicable residence.
2. Prior to occupancy, and in all events within seven months after commencement of construction of the residence, all lawns on the Lot, including all areas between each residence and any adjacent street, regardless of the existence and location of any monument, boundary wall, berm sidewalk or right-of-way line, shall be fully sodded and shall remain fully sodded at all times thereafter, except that the Developer may, in its discretion, allow specified areas to be seeded. No lawn shall be planted with zoysia or buffalo grass. Prior to occupancy, and in all events within seven months following commencement of construction of the residence, the Owner thereof shall landscape the Lot to the same standards as that generally prevailing throughout the Subdivision (which shall include, but not be limited to, a minimum expenditure of \$3,000.00 on foundation plantings) and in accordance with the landscaping plans approved by the Developer.
3. All lots shall have a separate sprinkler system installed (with a keyed control panel located on the exterior of the residence) prior to occupancy covering the entire front, rear and side yards of the Lot. Such system shall be connected to water supplied by the City unless proper application is made to the Association in its discretion for the sprinkler system to use lake water. Each Owner shall use the sprinkler system as necessary or appropriate (as determined by the Parcel Committee) during the late spring, summer and early fall months. The Parcel Committee shall be provided with a key to each sprinkler system by the Owner and shall have the right to operate the sprinkler system if the Owner fails or refuses to do so. No Owner shall water the Lot such that there is significant runoff onto any adjacent Lot or Parcel Common Area.

**PART C: LAWN ORNAMENTS**

Excessive or multiple lawn ornamentation in Lakewood is adamantly discouraged. Such ornamentation includes the following:

Artificial tree/shrubs	Bird baths	Farm implements	Figurines
Gazing balls	Large flower pots	Signs (permanent)	Statuary
Sun dials	Windmills	Artificial Trees	And others

1. Individual lawn ornaments including artificial trees/shrubs over thirty six inches (36") in height, would require approval of the ARB/ARC.
2. Should any property owner decide to place multiple lawn ornamentation on his/her property, an application, plot plan listing locations and a specific list of items detailing size, color and make-up of said items must be submitted to the LPOA. Under no circumstances will any more than 4 ornaments be approved. This excludes temporary holiday decorations.
3. Artificial Trees should be maintained in color and design. No more than four (4) artificial trees will be approved per property. No tree will be approved nearer to the front of the structure than the rear foundation line of the structure or rear foundation of garage on the opposite side.

**PART D: RETAINING WALLS**

General guidelines and requirements for retaining walls:

1. An application and approval is required for any new retaining walls.

2. Retaining walls are not to exceed an exposed height of four feet (4') above grade and only under special circumstances would an exposed height not to exceed eight feet (8') be considered for approval. Said grade shall be measured at the base at its lower point. No consideration for exposed heights above six feet (6') will be made without the stamp of a Missouri Certified engineer.
3. Retaining walls which divert ground water onto adjoining properties or which otherwise substantially change the existing drainage pattern will not be approved under any circumstance.
4. Any wall built along the shoreline will be classified as a SEAWALL instead of a retaining wall and restricted to guidelines regarding seawalls.
5. Walls above grade must be constructed of natural stone, stone and masonry, textured concrete or attractive timber. Concrete Masonry units (i.e.: Cinder blocks) will not be approved.

### **PART E: SHORELINE EROSION CONTROL GUIDELINES (SEA WALLS)**

1. Natural rock will be the accepted method for shoreline erosion control. This shall consist of the following: rip-rap, stone and mortar or stacked stones, with filtration cloth and will be forwarded to the LPOA Board of Directors for approval and execution of LPOA License Agreement for Maintenance. When replacement of any existing erosion material which is not within these guidelines becomes necessary, it shall be accomplished with any of the above methods, which is most compatible with adjacent or nearby erosion control materials. The objective is to obtain consistency of the shoreline erosion control methods outlined above. Only natural stone shall be used as steps/stairs to lake through seawalls or rip-rap.
2. All seawall construction must include the following requirement: If the full pool lake water depth is between one and one-half feet (1½') and four feet (4') deep, install a six inch (6") thick bed of "pea gravel", ten feet (10') wide as measured from the lake face of the seawall and twenty feet (20') long, said length occurring at any part of the seawall length. This pea gravel is for fish reproduction.
3. No buildings, nor any other structures including but not limited to decks, patios, or gazebos shall be placed within twenty (20) feet of the rear property line of any lot abutting a tract or edge of any open water course.

### **PART F: COMPOSTING**

Composting on Common Ground is NOT permitted. Compost bins on private lots are subject to approval by the ARB/ARC and must meet the following guidelines:

1. Compost bins are to be constructed of weather-resistant white cedar or free-standing dark color polymer/polyethylene, preferably black or green. Removal slats or tiers and at least one side door for easy removal of ready compost are required.
2. Minimum bin size is 3' x 3' x 3'. Maximum bin size is 4' x 4' x 4'. No more than two (2) bins per lot will be permitted. Size of compost bins must be in proportion to the lot dimensions.
3. Compost bins for single family detached house lots must be inside property lines by a minimum of ten feet (10') but no closer than twenty five feet (25') to an adjacent house.
4. Yard waste, which can be composted consists of grass clippings, leaves, small twigs, flowers, non-spreading weeds, old plants, potting soil and wood chips. CAUTION - DO NOT ADD: meat or other food waste, weeds, animal waste, large branches or pressure treated, painted or preserved lumber.
5. Compost bins must be located so as NOT to drain into the lakes.
6. In the event of neighbor or Maintenance Department complaint because of odor (from lack of oxygen) or unsightly condition property owner must eliminate the nuisance within five (5) days or remove the compost bin.
7. An agreement to these guidelines, is to be signed by the property owner upon approval of the application. Any deviation from these guidelines will require immediate removal of compost bin within 10 days of notification.

## **PART G: DEAD OR STORM DAMAGED TREES ON PRIVATE PROPERTY**

1. Call the LPOA office (373.4326) to report tree
  - a. Name
  - b. Address
  - c. Member number
  - d. Phone number
  - e. Location of tree
2. Staff will complete ARB/ARC application form and assigns the application to the Maintenance Department or the ARB/ARC Officer.
3. Staff confirms the tree is dead or storm damaged and signs the application authorizing removal of the tree
4. Staff will add the authorized application to the next ARB/ARC agenda for formal approval.
5. The approved application is filed in the Member's file.
6. Dead tree must be removed within 30 days of the approval.

## **PART H: IRRIGATION SYSTEM GUIDELINES FOR PUMPING FROM THE LAKE AND/OR USING CITY WATER**

The following rules apply to the installation of all irrigation systems drawing water from the lake:

### **1. Lake Drawn Irrigation Systems**

No lake drawn irrigation system may be installed without the approval of the ARB/ARC.

- a. Lake drawn irrigation systems are permitted only for those property owners whose lots border East Lake, West Lake, Seven-Acre Lake, and Three-Acre Pond, where application and approval by the ARB/ARC exists.
- b. An "Improvement Permit Application", two (2) copies of Resident's plot plan showing the installation plan, and for lakewater use an "LPOA Application for Installation of Lake Water Pumping System" must be presented to the ARB/ARC for approval. Approval must be obtained prior to the start of construction. Within ten (10) days after completion of the installation, the Resident is required to make arrangements with the General Manager for inspection of the completed project, and for lakewater use only payment of the annual fee.
- c. The pump must be located above ground in such a manner that it prohibits water from accumulating underneath or immediately around the pump. No more than one pump is permitted per system. If any part of the pump is installed beneath the ground's surface, the pump installation must be in a pit designed with a drainage system which will keep the pit dry at all times. The pump housing structure must be "fake rock" Mock Rock™ or approved equal. Fieldstone, Riverbed or Quartzite colors will be allowed if using the Mock Rock™. All present approved pump houses may remain until replaced, at which time they shall conform to the guideline.
  - i. The pump must be covered and secured to the ground. The Mock Rock™ should not exceed 21" high x 36" long x 27" wide.
- d. After irrigation system is installed, all trenches must be filled, compacted, property mounded and sodded to prevent erosion and blend with existing terrain. The only exposed pipe may be at the lake's edge and must be black or brown to blend with the shoreline.
- e. All wiring and the installation of the underground system must meet all rules and regulations of the City of Lee's Summit.
- f. A Lake drawn pump system fee will be charged to each user.

### **2. City Water Irrigation Systems**

- a. No application is required for installation of City drawn sprinkler systems providing that no sprinkler heads are placed on Common Ground and that City permits for back flow valves and Right-Of-Way Excavation are obtained.

## **PART I: LPOA COMMON GROUND**

Improvements which cross or are on Common Ground (as described below) require ARB/ARC application, in accordance with LPOA Policy No. 14 – Common Ground which was adopted 3/14/02. Improvements on Common Ground must have the LPOA Board of Directors approval.

1. Seawalls, as described in ARB/ARC Guidelines, are to be of LPOA issue rip-rap stone or natural stone, stacked, with filtration cloth and allowed to be maintained by LPOA license agreement.
2. City water or lake drawn sprinkler systems.
3. Pump houses, where impractical to place on owner's property, must be "fake rocks" or "pit" installation only.
4. Only picnic tables, benches and trees in accordance with LPOA approved style, color and placement formula may be placed upon Common Ground property. Individual member improvement requests for LPOA approved/installed picnic tables, benches and trees may be made to the Facilities Development Committee to be considered and improved as the LPOA budget allows (deadline of August 1 each year).
5. Gifted improvements may be allowed from Lakewood clubs/organizations, developers and individual members after appropriate application through the ARB/ARC committee, with ARB/ARC recommendation to and approval by the LPOA Board of Directors. Gifted improvements will be paid for by the applicant, either in whole or by partnership agreement with LPOA, with maintenance and liability responsibility being accepted by the LPOA (*for example, refer to details of the 2002 Blue Heron sculptures and landscape project gifted to LPOA by the Lakewood Garden Club*). Gifted improvements will be limited to LPOA designated park amenities (benches, picnic tables, playground equipment, athletic courts/fields, tree planting, etc.) and landscape beautification projects in keeping with the same theme and architectural design as approved by the board and known as the Visions Program (monument, landscape and tree planting).
6. No other improvements will be allowed on common ground in order to protect the open natural quality of the common ground property for the common use and enjoyment rights of all members of the LPOA (as described in the original governing documents of the LPOA).

## **PART J: RAIN BARRELS**

The following rules apply regarding the installation, use, and care of Rain Barrels:

1. Rain Barrels shall not be put into place without the consent of LPOA's ARB/ARC.
2. Application must be submitted showing size, color and location of Rain Barrel. Size shall be limited to a maximum capacity of 55 gallons.
3. All Rain Barrels must be equipped with top and side screens or plastic lids and must remain covered.
4. Water entry points must be covered with a screening cloth or pre-drilled holes. A spigot should be featured for emptying.
5. If a biological mosquito control is not used, the Rain Barrel should be emptied within seven days of the last rain event to prevent insects.
6. If, in the event that LPOA Staff or the ARB/ARC considers a Rain Barrel to become unsanitary or a blighting influence on neighboring property, it must be promptly removed and disposed of.

## **SECTION IV FENCING, SCREENS, DOG PENS**

No Application is required for the following fence items:

1. No application is required for invisible dog fences.
2. No application is required for removal of existing fences and patio privacy.

3. No application is required for exact replacement and repair of existing fences, providing that the height, type, material, color and location of the fence do not change and the fence meets current ARB/ARC criteria.

## **PART A: FENCES AND SCREENS**

The following rules apply to all other fences and screens:

1. The goal is to keep all fencing or screening as harmonious as possible with the architectural character of the community. Any fence or screen must have ARB/ARC approval before installation is undertaken.
2. No fence or screen will be approved if the installation will obstruct sight lines for vehicular traffic. Undue obstruction of view of lake or other amenities from adjoining property will be taken into consideration by the Committee when reviewing fences for approval.
3. Fences shall not be nearer to the front of the structure than the rear foundation line of the structure or rear foundation of garage on the opposite side, unless otherwise approved by the ARB/ARC. The Committee discourages fencing of the entire back yard due to the effect such fencing may have on the feeling of spaciousness desired for Lakewood.
4. Fences may be privately installed but must be constructed to professional level of quality.
5. Only wrought iron fences and those resembling wrought iron in appearance in the colors of black or white will be allowed on lots bordering the two main lakes.

***When submitting an application for fences you should include:***

1. One (1) copy of plot plan showing the location of the entire proposed fence on the lot with relation to the lot lines and the outline of the home.
2. One (1) copy of additional plans as required evaluating appearance and type of construction of the fence; including type of material and finished color.

## **MATERIAL REQUIREMENTS FOR FENCING**

1. The following fencing material is approved for use.
  - a. Wood (CCA, cedar, ACQ, CBA, SBX and equivalent wood products)
  - b. Wrought iron in black, white, or green
  - c. Vinyl fencing material resembling wrought iron in appearance, in white or black
  - d. Aluminum fencing in white or black
  - e. Vinyl picket fencing in white
2. Wood fencing or screening will be approved if the design is in conformity with the architectural design of the community. Any new fencing must be approved by ARB/ARC.
3. Chain link or other galvanized metal fencing will not be approved.
4. The ARB/ARC may approve wood post and split rail fencing with or without green or brown wire mesh type construction. If resident is attaching coated wire mesh to a split rail fence it must be on the inside of the fence, facing away from adjacent lots.

## **Parcel specific requirements for materials and Finish**

- **West Lake / East Lake**

If only one side has finish materials, the post material must face the inside of lot.

- **Lakewood Oaks Subdivision**

- Two styles of decorative fencing are approved.
  1. Four foot (4') wrought iron
  2. Three foot (3') split rail (a green vinyl coated wire link may be applied on the inside)
- Exception is a six foot (6') privacy fence will be allowed on the rear lot line of those lots which back up to Velie Road (Lots 111 through 117, 155 through 158 and Lots 161, 172 and 176. There shall be only one style of privacy fence, i.e. same materials, style, construction and orientation.

- No fence shall be constructed closer than seven and one-half feet (7 ½') from the property line on Lots abutting the golf course, lakes, ponds, or other water impoundments. Otherwise, fences may be constructed with the prior approval of the ARB/ARC.
- **Lakewood Shores Villas (Lots 121-A through 140-A and Lots 141-A, 142-A & 143-A)**  
No fence shall be constructed on Villa lots, to preserve the spaciousness of the open space behind the Villa units and to provide uniform lawn care and irrigation services.
- **Lakewood Shores**  
All fences must be constructed of wrought iron.
- **South Pointe at East Lake Village**  
No fence shall exceed a height of four (4) feet except the rear of Lots 434A, 436A, 437A and 438A, 396A through 403. Lots 381, 385, 386, 395 and 433A shall be permitted to have a six (6) foot fence on that portion of the Lot that abuts the street. All fences must be constructed of wood or black wrought iron. All fences on Lots 404, 405, 417, 418, 419 and 420A must be black wrought iron. No fence of any kind shall be permitted upon or across the ten (10) foot access for maintenance easement located upon Lots 417 through 424 and 403 through 405.
- **Lakewood Pointe Villas**  
No fence shall be permitted on any Lot except such fence shall be constructed of wrought iron metal, black finish, and a height not to exceed six (6) feet. No fence of any kind shall be permitted upon or across the ten (10) foot maintenance easement located upon and across the rear lot line of Lots Six (6), Seven (7), Fourteen (14) through Eighteen (18), or Twenty (20) through Twenty-Five (25).
- **The Orchards at Lakewood**
  - Bufftech vinyl, PVC or board fence consisting of vinyl or wooden posts set at eight foot intervals with four horizontal vinyl or wooden boards affixed at appropriate intervals perpendicular to the post. The fence shall be white.
  - Containment fences may be constructed of vinyl or wood posts. Containment material may be barbed wire or such other materials as may be approved by the ARB, provided however, the containment fence shall not be a cyclone or chain link fence. Any such containment fence will be at the rear of any dwelling located upon any Lot. No perimeter fence may exceed a height of five (5) feet.
- **Falls at Lakewood**  
Fences are prohibited except to enclose a patio area, and must meet ARB/ARC Guidelines.
- **Lake Pointe**
  - No fence shall exceed a height of four feet (4').
  - Fences shall be constructed of wood or wrought iron.
- **Villas of Chapel Ridge**  
Fences are prohibited except to enclose a patio area, and must meet ARB/ARC Guidelines.
- **Hills of Chapel Ridge**  
No fence of any kind shall be permitted upon or across the Lots without the written permission and approval of height and design by the ARB/ARC.

## **HEIGHT RESTRICTIONS FOR FENCING**

1. Fences up to four feet (4'), in the approved material can be approved. A variance to this height limit (not to exceed six feet) may be granted where the rear line of a lot abuts a major arterial roadway or offers some other circumstances unique to that lot. The approved list of major arterial roadways for ARB/ARC purposes are Lakewood Boulevard, Lake Drive, Gregory, Channel Drive, Woods Chapel east of Gregory, Dick Howser Drive, Velie Road, Anderson, Fairway Homes Drive (south of LaCosta) and Lee's Summit Road.
2. Fencing of six-foot (6') may be used to screen around the smaller patio area of the back yard of homes to secure privacy of the immediate patio area while permitting the feeling of spaciousness throughout the open area and back yards of homes. Patio screens shall not exceed six feet in height.

## **PART B: DOG PENS**

1. A dog pen may be approved, provided it adjoins the rear of the house with the axis parallel to the rear of the house, not to extend beyond the rear corner of the house or extend no more than five feet toward the side lot lines beyond the rear corner of the house and is otherwise compatible with the standards applicable to fences.
2. Dog pens may be approved in the Lakewood Oaks subdivision provided they meet the following guidelines:
  - a. Must be attached to the rear of the house, i.e. they may not extend into the side yard.
  - b. May not exceed sixty (60) square feet, with the longest side not more than ten feet (10').
  - c. The outside of the pen must be completely enclosed with a six foot (6') cedar privacy fence. The inside may be chain link, provided the chain link is not visible from the outside.

**Falls at Lakewood:** Dog pens are prohibited.

# **SECTION V**

## **HOME EXTERIOR – PAINTING, MATERIALS & COLORS**

No Application to the ARB/ARC is required for:

1. Replacement of guttering and repair of soffit with exact same material. Installation of Gutter Cover.
2. Exact replacement of damaged siding on exterior of house or replacement using a concrete fiber composition siding such as LP Panels or Hardy Board siding and painted an LPOA approved color.
3. Piering to stabilize the foundation of a house.
4. Replacement of doors, windows and skylights that are the same size and appearance.
5. Caulking around windows and doors.
6. Replacement of wood garage doors with aluminum or steel garage door, so long as the color of the new doors remains the same color as the doors being replaced or white.
7. Replacement of rotted wood around windows with wood or current acceptable material that resembles wood in appearance.
8. Installation of front or back storm door in black, almond or white.
9. Repainting the exterior of house, trim, and doors the exact same colors, so long as those colors are in the LPOA color palette.
10. Replacement of wood soffits and fascia with formed aluminum, as long as the aluminum surface is the same color as the house or can be painted to match the existing house color.

## **PART A: EXTERIOR MATERIALS AND COLOR**

### **1. General Material Requirements**

Only the exterior material existing on the parent structure, which consists of wood, brick, stucco,



concrete fiber composition, or stone and is compatible with the architectural design character of the community, will be approved.

## 2. Color Requirements

Only colors on the LPOA approved Color Palette may be used. A paint color chip shall be submitted with the application. Color palette is available for review in LPOA offices.

## 3. Specific Sub-parcel Requirements:

- **Lakewood Pointe Villas**

Exterior Finishes/Colors. All exterior surfaces shall contain the following finish material:

- a. Exterior Wall Surface – Stucco
- b. Exterior Trim – Stucco (wood shall be permitted only with prior written approval of the ARB.
- c. Colors must conform to the LPOA approved color pallet

- **Southpointe at East Lake Village**

- a. Colors must conform to the LPOA approved color pallet

- **Lake Pointe**

- a. Exterior Wall Surface /Colors – Stucco, Stone or Brick
- b. No metal or vinyl siding will be allowed
- c. Colors must conform to the LPOA approved color pallet

- **Clubhouse Cottages at Lakewood (Villas at Lakewood)**

***Exterior Wall Surface***

- a. Stucco (no stucco board or staccato)
- b. Plate Glass
- c. Glass blocks
- d. Wood trim
- e. Or a combination thereof on all four sides. In addition, the fronts only of all dwellings shall be of stone or cast stone use in combination with the other materials and approved in color, style and placement by the Developer's ARB.

***Exterior Wall Color***

- a. Colors shall be earth tone and limited to the following: KWAL (paint brand) G24 through 38 and H24 through 39, or equivalent.
- b. The bottom two sections of these color charts shall be used only for accent, e.g. shutters and doors.
- c. All combinations shall be subject to the written approval of the Developer's ARB.
- d. Substitutions of above colors shall also require written approval of the Developer's ARB.
- e. The Lakewood Property Owners Association shall be provided with a copy of the designated color charts.

- **Villas of Chapel Ridge**

***Exterior Materials***

- a. The Exterior shall have at least thirty percent (30%) brick, stone, stucco or stone veneer.
- b. No synthetic brick may be used.
- c. Colors must conform to the LPOA approved color pallet

- **Hills of Chapel Ridge**

***Exterior Materials***

- a. Units shall be faced on all sides with quality materials, with at least thirty percent (30%) brick, stone, stucco or stone veneer.
- b. No synthetic brick may be used.
- c. Colors must conform to the LPOA approved color pallet

## **PART B: DOORS/WINDOWS/SKYLIGHTS**

### **No Application Required**

1. Exact replacement of doors, windows and skylights.
2. Caulking around windows and doors.
3. Replacement of wood garage doors with aluminum or steel garage doors, so long as the color of the new door remains the same color as the door(s) being replaced or white.
4. Replacement of rotted wood around windows with wood or current acceptable material that resembles wood in appearance.
5. Installation of front or back storm door in black, almond or white.

## **SECTION VI ROOFS/ROOFING MATERIALS**

### **1. Exact Replacement of Roofing Material**

Exact replacement of roofs (roofing material and color is not changed) does not require an application for committee approval, but must be approved by the ARB/ARC Coordinator, who can be contacted at the LPOA offices. You should be prepared to provide the type and color of current roof, and providing a copy of the City of Lee's Summit roofing permit.

### **2. Change of Roofing Material**

Roofing changes with approved LPOA roofing products may be made by calling the office and providing staff with:

- a. Name
- b. Address
- c. Account number
- d. Name and color of approved roofing product

**Permits from the City of Lee's Summit are required** on all roof installations. A copy of said permit must be submitted to the LPOA before starting the roofing project.

ARB/ARC Coordinator/Officer must inspect job site before work is started to ensure the type of roof being installed and that an approved color is being used.

### **3. Requirement prior to start of work**

Installation of any new roof, or replacement of all or a substantial portion of any existing roof shall not commence unless and until the owner has submitted to LPOA a description and specifications of the roofing materials to be used, and approval has been given.

### **4. Approved Roofing Products**

#### **• West Lake and East Lake**

All roofs will be covered with one of the following materials:

- a. Wood shingles – ASTM approved premium, No. 1 or 2 grade
- b. Wood shakes – ASTM approved premium, No. 1 or 2 grade with a minimum ½ inch thickness measured at butt end.

**NOTE:** ALL Wood Shingles or Shakes must meet the fire treatment requirements of the City of Lee's Summit.

- c. Slate – ASTM approved No. 1 or 2 grade, in the colors of weathered brown, terra cotta or dark grey (unless further specified in following sections)
- d. Clay tile – ASTM approved No. 1 or 2 grade, in the colors of weathered brown, terra cotta or dark grey (unless further specified in following sections)

- e. Concrete tile – ASTM approved No. 1 or 2 grade (standard weight, 750 lbs. per square or more, in the colors of weathered brown, terra cotta or dark grey (unless further specified in following sections)
- f. Standing seam metal panels – Only under extraordinary conditions: May be utilized for low pitch applications or for aesthetics on dormers, entrances, porches and sunrooms. Under no circumstances shall the standing seam metal roof exceed 10% of the total area of the residence.
- g. Gerard, Decra or Stonehenge Stone Coated Steel or equivalent, with following specifications: Product must consist of a 26 gauge galvanized steel, 140 lbs. per square  
Approved Styles: Wood shake or slate in profile and appearance, or tile in appearance.  
Approved Colors: Simulations of Wood Shake, Slate, or Low Profile Tile may be approved in the colors of black, brown, and gray variations. Red variations may be approved only in the High Profile Tile.  
Since the application of a stone-coated steel roof covering over wood shingle or shake roofs creates a combustible concealed space, the entire existing surface shall be covered with gypsum board, mineral fiber or other approved materials securely fastened in place (Reference Lee’s Summit Roofing Codes Section R907.4).
- h. DaVinci Synthetic Slate (equivalents are NOT acceptable). Approved Colors (Solid Color roofs not allowed) Castle Grey European, Westminster, Cottage, Evergreen, Weathered Green, Slate Black and Slate Gray
- i. CertainTeed Grand Manor Shingles. Approved colors are Black, Brown, and Gray only.
- j. GAF Camelot Shingles. Approved colors are Black, Brown, and Gray only.
- k. GAF Grand Canyon Shingles. Approved colors are Black, Brown, and Gray only.
- l. CertainTeed Grand Manor & GAF Camelot Roofing Products:
- m. GAF Camelot II Shingles. Approved colors are Black, Brown, and Gray only.
- n. GAF Grand Sequoia Shingles. Approved colors are Blacks, Browns, and Gray families only.
- o. GAF Sienna Shingles. Approved colors are Blacks, Browns, and Gray families only.
- p. IKO Armourshake Shingles. Approved colors are Blacks, Browns, and Gray families only.
- q. CertainTeed Presidential. Approved colors are Blacks, Browns, and Gray families only.
- r. Owens Corning Woodmoor and Woodcrest. Approved colors are Blacks, Browns, and Gray families only.
- s. GAF Woodland. Approved colors are Blacks, Browns, and Gray families only.
- t. Malarkey Windsor. Approved colors are Blacks, Browns, and Gray families only.
- u. Tesla SolarGlass Roof Tile System (see Section XI, Solar Energy, for special requirements)

### **ARB/ARC Approval Required for the Following**

#### **Composition Luxury Designer Shingles**

- Composition Luxury Designer Shingles are comprised of a combination of asphalt, fiberglass, and related materials, and are coated with colored granules. Luxury Designer shingles are those that are designed to mimic real slate or wood shake shingles, and offer a three dimensional appearance. Only those materials fitting this description will be considered for approval. Colors must be in the Black, Brown, and Gray families.
- Required to be installed with sheet metal valleys and flashing. Shingles themselves may not be used to form closed valleys;
- Required to be installed with matching and preformed hip and ridge shingles;
- Required to be installed over solid decking placed either directly on the roof rafters or atop existing spaced sheathing lumber. All existing roofing materials will be removed down to the stringers and/or 1x4’s. Shingles may not be installed over an existing shake or shingle roof;
- Required to be UL Class A fire rated.

### **Installation Requirements for Composition Luxury Designer Shingles**

- Required to be installed with sheet metal valleys and flashing. Shingles themselves may not be used to form closed valleys;
- Required to be installed with matching and preformed hip and ridge shingles;
- Only colors noted above are approved. No other colors or color blends will be approved;
- Required to be installed over solid decking placed either directly on the roof rafters or atop existing spaced sheathing lumber. All existing roofing materials will be removed down to the stringers and/or 1x4's. Shingles may not be installed over an existing shake or shingle roof;
- Required to be UL Class A fire rated.

### **Sub-Parcel Approved Roofing product limitations**

a. **Lakewood Point Villas**

Tile, Slate

b. **Lake Pointe**

Concrete, Tile, Slate

c. **Clubhouse Cottages at Lakewood (Villas at Lakewood)**

Only concrete tile roofing materials shall be used. The color and style of the concrete tile shall be specifically designated by the Developer's ARB. The color and style shall be the same for all lots in the "parcel".

d. **The Enclave**

Roofs of residences shall be covered with pre-colored concrete tiles or other ARB approved materials, all specific types, colors, styles, dimensions and other aesthetic factors approved by the ARB in its discretion in writing.

e. **Chapel Ridge Estates**

Wood shake, tile, slate or such other material as approved by the Architectural Review Board within the Association's guidelines.

f. **Lakeshore Townhomes Multi-family Parcel**

Approved material for replacement roofs in Lakeshore Townhomes will be CertainTeed Grand Manor in the colors of Gatehouse Slate or Stonegate Grey, GAF Camelot in the color of Aged Oak, or the GAF Camelot II provided the color complies with LPOA approved colors. The color of replacement roofs will be agreed upon by both owners of a two-unit building or by a majority of owners in a three-unit building. The replacement roof must be done by installers certified by the manufacturer of the agreed upon material.

g. **Lakeshore Townhouses (Condos) Multi-family Parcel**

Because none of the ten units share a roof line, all owners of the ten units have the choice to use any LPOA approved roofing material. Those putting on a new roof must first obtain a City of Lee's Summit roofing permit and provide to LPOA prior to re-roofing. Owners in the same building must use the same roofing material and the color choice must adhere to LPOA roofing guidelines.

h. **Water's Edge (Condos) Multi-family Parcel**

Heavy ¾" shake shingles with 10" exposure.

i. **Villas of Chapel Ridge**

Each roof must be concrete tile, slate, or other material as approved by the ARB/ARC.

j. **Hills of Chapel Ridge**

Wood Shake, tile, slate, or such other as approved by the ARB/ARC.

**5. General Roofing Requirements**

- a. Wood shingles may not be used for roofs with a pitch less than 3" x 12". Wood shakes may not be used for roofs with a pitch less than 4" x 12".
- b. Standing seam metal roofs shall be in accordance with the standards as published by the Copper Development Association, American Iron and Steel Institute, Aluminum Association, American Society for Testing and Materials, Metal Building Manufacturers Association, Underwriters Laboratories or the National Roofing Contractors Association, where applicable. The color shall be copper or aluminum in a complimentary earth tone color to match the house. Seam height shall not exceed 1½".
- c. There shall be no mixing of different colors except as the normal variation of hues in an approved color.
- d. No flat roofs will be constructed.
- e. Roofing materials shall be the same on all parts of the house, unless prohibited by pitch of the roof.
- f. All roof coverings shall be installed with the necessary underlayment and other components of a specified roof assembly, as required by the Uniform Building Code, as adopted by the City of Lee's Summit, and shall be installed according to the manufacturer's specifications.
- g. All roofs require a permit from the City of Lee's Summit. A copy of this city permit must be submitted to LPOA office prior to installation of the roof.

## **SECTION VII**

### **DECKS, SUNCOVERS and AWNINGS**

**PART A: DECKS/SUNCOVERS**

**No Application is required for the following:**

- 1. Replacement and repair of existing decks and rails including change of material to a wood or wood product composite such as Trex or Geodeck providing that the size of the deck does not change and that the deck is not located on Common Ground. Replacement of wood rails with aluminum or vinyl rails resembling wrought iron in appearance in black, white or color of the house. All City Codes MUST be closely followed with Building Permits obtained in accordance with City of Lee's Summit Codes.
- 2. Installation of Dry-B-Lo under decks.
- 3. Staining deck with cedar or natural wood stains and sealers.
- 4. Removal of existing slatted sun covers and arbors.
- 5. Installation of portable wrought iron and canvas suncovers providing the portable canvas suncover is not installed on the deck or patio before April 1 and must be removed by October 1 and is kept in good repair.

**Application is required for:**

- 1. All new decks or change in deck size. Submit one (1) copy of plot plan showing the location. A Lee's Summit Building Permit is required if the deck is thirty inches (30") or more off the ground. Structural members must be as required by the most current International Residential Code and Chapter 7 of the Lee's Summit Code of Ordinances. Also an application is required if the deck is to be painted or stained other than with cedar or natural wood stains and sealers.

**Deck and Rail Materials**

- 1. All deck flooring will be made of one of the following materials:
  - a. Natural Woods (Cedar or Redwood)
  - b. Wood preservatives (CCA, ACQ, CBA, SBX and equivalent wood products)
  - c. A wood or wood product composite (such as Trex, Geodeck)
  - d. Vinyl (Tan or Gray ONLY)

- e. Lock Dry Aluminum Decking, installed per manufacturers specifications, with **no** exposed edging (Approved colors are Golden Clay, Buckskin, and Gray)
2. All deck rails will be made of one of the following materials:
    - a. Natural Woods (Cedar or Redwood)
    - b. Wood preservatives (CCA, ACQ, CBA, SBX and equivalent wood products)
    - c. Wrought iron
    - d. Glass
    - e. Aluminum or vinyl material resembling wrought iron, only in black, white or the color of the house
    - f. A wood or wood product composite (such as Trex, Geodeck)
    - g. Cable Rail Systems
      - Posts and handrails may be stainless steel or any approved material.
      - Must be installed and maintained according to manufacturer's installation instructions.
  3. **Lakewood Shores**  
All exterior decks shall be painted on the vertical surfaces consistent with the exterior surfaces. The horizontal decking itself may remain in its natural state.
  4. **Lakewood Pointe Villas**  
Exterior Decks-all exterior components shall be of the same color as the exterior wall surface of the Unit, except the floor decking material which may be wood plank.

**PART B: AWNINGS**

1. Awnings and canopies that enhance the aesthetic qualities of a community must be approved by ARB/ARC.
2. The awning must be maintained in good repair, free of holes and rips.

## **SECTION VIII**

### **WALKS, DRIVEWAYS, PATIOS, PORCHES**

**No Application will be required when the project is:**

1. Exact replacements of driveways.
2. Exact replacement of existing concrete or paver patios providing that the patio is not enlarged or location of the patio is not changed, construction material is not changed and that the patio is not on Common Ground.
3. Replacement of existing porch providing the material, location and size of the porch does not change and is not located on Common Ground.
4. Replacement of existing sidewalks providing the material, location and size of the sidewalk does not change and is not located on Common Ground.

**An Application, and approval, is required when the Driveway, patio, porch or walk is new, a change in location, size, material, or color.**

1. Approved Material: All driveways, sidewalks, patios, and porches shall be constructed with concrete, patterned concrete, bomanite, interlocking pavers, brick or other permanent stone finishes. Crushed gravel, asphalt and natural driveways are prohibited. If other materials are going to be used additional information must be submitted with the application.
2. No driveway will be constructed in a manner as to permit access to a street across a rear property line.
3. A Lee's Summit Building Permit and a Right-of-Way Excavation Permit may be required.
4. The width of a driveway cannot be wider than thirty five feet (35') at the property line (eleven feet back from the street). When a second drive is proposed, there must be twenty feet (20') between driveways.

5. Patios with foundations shall be located no closer than ten feet (10') from the rear property lines.

**Sub-parcel specific requirements**

- **The Falls at Lakewood**

All driveways and sidewalks shall be concrete, patterned concrete, bomanite, interlocking pavers, brick or other permanent stone finishes. Crushed gravel, asphalt and natural driveways are prohibited. No driveway shall be constructed in a manner as to permit access to a street across a rear property line.

## **SECTION IX MINOR EXTERIOR ITEMS**

### **PART A: SATELLITE DISHES/EXTERIOR ANTENNAS**

#### **1. Satellite Dishes**

- a. Installation of one (1) satellite dish, one meter (39.6") in diameter or smaller may be installed and maintained on single family residential lots, as long as the location, screening and manner of mounting is as inconspicuous as possible and blends into the background of the surroundings
- b. Individual parcel covenants may prohibit satellite dishes. Check with your Parcel Chairperson or the LPOA General Manager before making application to the ARB/ARC. For townhome, condominium and multi-family parcels, a letter from the parcel chairperson, with regard to the parcel's position on placement, is required before application for a satellite dish will be approved for placement on walls, roofs or common area. This additional restriction is applicable to placement of antennas on common areas or rental properties, property not within the exclusive control of the person with ownership interest, and property where the community association or parcel committee is legally responsible for maintenance and repair, and can be liable for failure to perform its duties.
- c. No satellite dishes may be installed in South Pointe or Lakewood Pointe Villas without approval from the ARB/ARC.
- d. No satellite antenna or other outdoor television antennas larger than 39.6 inches (1 meter) shall be permitted without approval of the Developer's ARB. No antenna towers shall be permitted in the Clubhouse Cottages in Lakewood.

**Sub-parcel specific requirements:**

- **Falls at Lakewood**

1. No television, radio, citizens' band, short wave or other antenna, satellite dish (other than as provided below), solar panel, clothesline or pole, or other unsightly projection shall be attached to the exterior of any residence or Exterior Structure or erected in any yard. Should any part or all of the restriction set forth in the preceding sentence be unenforceable under any Federal statute or be held by a court of competent jurisdiction to be unenforceable because it violates the First Amendment or any other provision of the United States Constitution, the Association shall have the right to establish rules and regulations regarding the location, size, landscaping and other aesthetic aspects of such projections so as to reasonably control the impact of such projections on the Parcel, and all parts thereof, and any such rules and regulations shall be binding upon all of the Lots. Notwithstanding any provision in this Declaration to be contrary, small satellite dishes (maximum one meter (39.6 inches) in diameter) may be installed and screened, with the prior written consent and in accordance with the requirements of the Approving Party, so as to render the installation as inoffensive as possible to other Owners.

- **Southpointe at Lakewood**
- **Lakewood Pointe Villas**

1. No satellite dishes may be installed in Southpointe or Lakewood Pointe Villas without approval from the ARB/ARC.

- **Clubhouse Cottages at Lakewood (Villas at Lakewood)**

1. No satellite antenna or other outdoor television antennas larger than 39.6 inches (1 meter) shall be permitted without approval of the Developer's ARB.
2. No antenna towers shall be permitted.

## **2. Outdoor Antennas**

No antenna may be erected, used or maintained outdoors and above the surface of the ground, or attached to a building or otherwise, without the written authorization of the Architectural Review Board/Alterations Review Committee (ARB/ARC).

Masts for use as television reception antennas or with respect to installation of satellite dishes are prohibited, if over twelve feet (12') above the roof line of the residence. All other antennas, including CB and ham radio antennas, are prohibited.

## **PART B: PLAY EQUIPMENT**

### **No Application Required**

1. Removal of play equipment.

### **The following guidelines apply for the installation and approval requirements for play equipment**

1. Children's play equipment such as swing-sets, play gyms, tents, sandboxes, or temporary swimming pools having a depth of less than 24 inches, shall not require approval of ARB/ARC provided that such equipment is not more than six feet high. Equipment higher than six feet, and tree houses, shall require approval as to design, location, color, and use.
2. Playhouses must be constructed at grade level, of wood or a quality plastic and may not exceed dimensions of six feet (6') wide by six feet (6') deep by six feet (6') high and require ARB/ARC approval. Playhouses will be approved for a period of five years (5 yrs.). Reapplication is required to retain the playhouse.
3. All play equipment must be kept in good repair (including paint) and reasonable effort made to screen such equipment from view. Proposed screening plan must be submitted with all ARB/ARC applications for play equipment.
4. Trampolines - No trampolines of any size may be placed in the front or side yards of any residential lot. Trampolines may be installed in the back yards of residential lots, with prior approval of the ARB/ARC. Trampolines must be kept a minimum of 10' from fences, house, and any other play equipment.
5. All approved play equipment will be less than eleven feet (11') high.
6. Installation of play equipment may be approved by LPOA staff, once it is determined that the guidelines for installation have been met. Application and plan must be submitted to LPOA staff prior to installation. LPOA Staff reserves the right to require ARB/ARC review for approval if it is determined that it would pose a negative impact to neighboring properties.

### **Sub-parcel specific requirements:**

- **Falls at Lakewood**

1. The following is prohibited: swing sets, play structures, trampolines, batting cages, paddle tennis courts, play houses and tree houses



## **PART C: FLAG POLES**

Flag poles are considered to be an exterior addition and require ARB/ARC approval.

## **PART D: GOOSE DETERRENTS**

1. A packet containing the materials to install a "Goose Fence" is available at the LPOA office for a nominal fee. A "Goose Fence" may be installed on Common Ground, at the shoreline, directly behind and parallel to the rock rip-rap or seawall. An ARB/ARC Application is not required to obtain and install the fence in accordance with the instructions. Packets are made to accommodate one hundred feet (100') of shoreline. If the shoreline exceeds one hundred feet, additional support rods are available.
2. The use of specific types of "Chemical Goose Repellent" is also approved. The approved manufacturers and their telephone numbers are available from the LPOA office.
3. Under extraordinary circumstances, the installation of a "Goose Fence" at locations other than the shoreline may be allowed. This installation will require prior approval of the ARB/ARC. An ARB/ARC application must be submitted and approved. The application must include a plot plan showing the dimensioned location and extent of the proposed installation, along with the reason installation is being requested.

## **PART E: BASKETBALL GOALS AND BASKETBALL COURT GUIDELINES**

### **No Application Required**

Portable or permanent basketball goals with the exception of the Lakewood Pointe Villas and the Falls at Lakewood (Lakewood Pointe Villas require ARB/ARC approval as stated in Lakewood Pointe Villas Covenants. Basketball goals are prohibited in The Falls at Lakewood as stated in Covenants.) providing that the goal is placed along the driveway. Basketball goals shall not be permitted in the street at any time. Basketball goals equipped with lights will not be allowed. Only one basketball goal per lot.

### **General Requirements**

Basketball goals may be attached to the house, and will be finished in the same color as the house. If there is any deviation from this the resident should file an ARB/ARC application for approval. No application is required for portable or permanent basketball goals (excluding the Lakewood Pointe Villas, The Falls at Lakewood, and Clubhouse Cottages at Lakewood) providing that the goal is placed along the driveway. Basketball goals shall not be permitted in the street at any time. Basketball goals equipped with lights will not be approved. Only one basketball goal per lot.

Basketball courts, half-courts or sports courts are not compatible with the original open green area concept of Lakewood and will not be allowed.

### **Sub-parcel specific requirements:**

- **Lakewood Pointe Villas**
  1. No basketball goals shall be permanently secured on any portion of the Lot or to any exterior surface of a Unit. Portable basketball goals shall be permitted, with approval of the ARB/ARC, provided that no later than 7:00 P.M. they shall be dismantled and stored inside the Unit.
- **Falls at Lakewood**
  1. Basketball goals are prohibited.
- **Clubhouse Cottages at Lakewood (Villas at Lakewood)**
  1. Temporary basketball goals shall not be permitted in the Clubhouse Cottages at Lakewood. Permanent basketball goals shall be subject to approval of the Developer's ARB and ARB/ARC.

## **PART F: MISCELLANEOUS**

1. Exterior lighting shall not be directed in such a manner as to create an annoyance to adjacent property.
2. Trash and garbage containers shall not be permitted to remain conspicuous except on days of trash collection.
3. Garage doors shall be kept closed except during time of actual use of the garage facility.
4. Collapsible, removable and permanent clothes lines are not permitted.

# **SECTION X**

## **MAJOR EXTERIOR ITEMS**

### **PART A: SWIMMING POOLS, SPAS, HOT TUBS and JACUZZIS**

1. Permanent type back yard swimming pools must have the approval of the Committee before any work is undertaken. Permanent back yard swimming pools will be approved by the ARB/ARC only after careful consideration of the potential effect of such a pool on neighboring property.
2. The application for the construction of a permanent type back yard swimming pool will not be considered unless the application is accompanied by an application for an acceptable fence design. The design shall conform to county or municipal regulations for such fencing. Use of planting in the vicinity of the pool is recommended to soften the effect of sound on adjacent property.
3. All pool construction, spas, hot tubs, and Jacuzzis must be submitted to the City of Lee's Summit and a Building Permit is required for approval before submitting to ARB/ARC.
4. No plastic bubble enclosures will be permitted on Lakewood properties.
5. Pool water may be drained into the city sanitary system. If pool has not been treated for 48 hours it may be drained onto lawn. **AT NO TIME IS POOL TO BE DRAINED DIRECTLY INTO STORM SEWERS AND LAKES.**
6. A swimming pool or yard pool shall be separated from adjoining property by a fence that meets Lee's Summit building codes and provided with gates which shall be kept locked when the pool is unattended.
7. Spas, hot tubs, Jacuzzis, and yard pools must have the approval of the ARB/ARC before any work is undertaken. The application for the spa will not be considered unless the spa is equipped with a locking lid. The spa will be approved after careful consideration of the effect of such spa on neighboring property. Planting in the vicinity of the spa is recommended to soften the effect of sound on adjacent property.

#### **Specific Sub-Parcel requirements:**

- **Falls at Lakewood**
  1. Swimming pools and below ground hot tubs are prohibited.
- **Lakewood Shores Villas (Lots 121-A through 140-A, Lots 141-A, 142-A & 143-A)**
  1. Hot tubs and swimming pools are prohibited.

### **PART B: TENNIS COURT GUIDELINES**

As a general rule tennis courts are not compatible with the original open green area concept of Lakewood, and should not normally be allowed.

Tennis courts will not enhance the natural harmony of existing vegetation and topography.

1. Permanent type private tennis courts must have the approval of the ARB/ARC Committee before any work is undertaken. Tennis courts will be approved by the ARB/ARC only after careful consideration of the potential effect of each court on neighboring properties.

2. An applicant for construction of a tennis court will not be considered unless the application is accompanied by an acceptable design for court, fencing and appropriate botanical screen planting.
3. All tennis court construction must also be approved by the City of Lee's Summit.
4. Only one regulation size tennis court per lot will be acceptable.
5. No tennis court shall be constructed on any lot having less than 40,000 square feet of land area. No tennis court will be allowed on any lot visible from the Lake.
6. A minimum of ten foot (10') setback shall be required at side and rear property lines.
7. A minimum 40% open "green area" must be maintained on each lot.
8. Outdoor lighting will not be permitted on any private tennis court.
9. Court fencing shall not exceed 10 foot in height. Fencing shall be constructed of vinyl coating bonded to galvanized steel, including wire net and all posts and rails. Color shall be dark brown only.
10. Supplemental wind lattice, natural or vinyl fabric, are not allowed.
11. Tennis court paving shall be a tinted athletic all weather surface, brown or green color only. A color chip of the proposed surface shall accompany the application.
12. Natural water run-off shall not be increased by any tennis court construction. A water retention and surface run-off study by a Hydraulic Engineer must accompany any application for private tennis courts. This study shall certify that no adverse surface drainage patterns shall be created.

## **SECTION XI**

### **GUIDELINES FOR GREEN (ENERGY ALTERNATIVES) PROJECTS**

#### **1. Solar Energy**

- Solar Panels/Equipment shall not be installed without the prior written approval of the ARB/ARC. Any solar panels and related appurtenances and equipment shall be designed and constructed to appear as an integrated part of the building architecture as possible. The panels shall be roof mounted so that the top surface is as flush with the roof surface whenever possible, with all appurtenances recessed into the structure's attic. Solar panels should be located on the rear or side roof of a home whenever possible.
- A Photovoltaic System Application must be submitted to and approved by the City of Lee's Summit prior to installation. Copy of approval must be submitted to LPOA Administrative Office.

#### **2. Generators**

##### **a. Exterior Standby Power Generators**

Exterior Standby Power Generators shall not be installed without the prior written approval of the ARB/ARC. Applicants must exercise care in properly locating the unit on the property so as to minimize the visual and noise impact on neighboring properties.

The following restrictions apply to Exterior Standby Power Generators:

- Fuel – Only piped natural gas is permitted
- Noise – Sound output, as specified by the manufacturer, shall not exceed 69dba at the rated capacity
- Operation – System shall operate only during periods of utility power failure, except for periodic testing at reduced power.

- Enclosure –The unit shall be completely enclosed. The enclosure shall be corrosion resistant and of an approved color.

The application for Exterior Standby Power Generators must include the unit’s specific location on a plot plan, the brochure depicting the unit’s specifications, capacity, and noise ratings, and any other exterior changes including landscaping to soften the effects of the placement of the unit.

**b. Portable Generators**

Emergency electrical generators mounted on wheels, rollers, or skids are considered portable units and, as such, do not require application. However, they shall not be placed or stored outside of the home except when in actual operation during a power outage. Users of these units (which are significantly noisier than enclosed fixed units) should be considerate of their neighbors by limiting day usage hours and avoiding any night usage. City of Lee’s Summit Noise Ordinance will apply.

## **SECTION XII**

### **LPOA ENFORCEMENT and FINES FOR NONCOMPLIANCE**

**PART A: AFTER-THE-FACT FINES FOR UN-APPROVED ALTERATIONS**

**Fine A: THIS IS A FINE OF \$250 FOR EACH OCCURANCE OF ANY ALTERATION PROJECT STARTED AND/OR COMPLETED WITHOUT AN APPROVED APPLICATION. THIS INCLUDES PROJECTS INVOLVING:**

- |                 |  |
|-----------------|--|
| <b>\$250.00</b> | <ol style="list-style-type: none"> <li>1. Landscaping changes</li> <li>2. Tree removal – private property</li> <li>** 3. Irrigation systems w/pump (lake water)</li> <li>4. Play equipment/Trampolines</li> <li>5. Exterior lighting/Antennas</li> <li>6. Compost bins</li> <li>7. Awnings</li> <li>8. Flag poles</li> <li>9. Room additions/Porches/Dormers/external entry Doors (change in type) /Windows (change in size &amp; location)</li> <li>10. Decks (change in size /location)/Gazebos/Arbors</li> <li>11. Pools/Spas/Hot tubs/Jacuzzis/Ponds</li> <li>12. Fences (change of location/fencing material/height/type/color)</li> <li>13. Garages/Driveways(change in size/material/location)/Sidewalks (change in size/material/location)</li> <li>14. Patios (change of size/location/material)/Privacy_Screen/ Enclosures/Covers</li> <li>15. Ground water control/Retaining walls</li> <li>16. All common ground alterations</li> <li>17. Dog pens</li> <li>18. Tennis courts</li> </ol> |
|-----------------|--|

\*\* = Resident must also pay \$105 per year stipulated fee for each year in existence.

NOTE: All applications for alterations, including exact replacements, listed under A require one (1) copy of plot plan showing outline and/or location of improvement, with dimensions, description and colors applicable.

- Fine B**            **Application filed after project started and/or completed (no plot plan is required).**  
**\$2,000.00**
1.        Roofing – change of materials. House would then have to be re-roofed with an approved roofing material.
  2.        House painting; change of color (This would be colors outside of the LPOA color pallet). House would then have to be re-painted with a color selected from the LPOA color palette.

- Fine C**  
**\$2,000.00**
1.        Tree removal on common ground.

**PART B:    APPEAL OF FINES**

Any member shall have ten (10) days from the notice of a fine to request a hearing in front of the Appeals Committee. Such a request will be made in writing to the General Manager.

The Member will have 10 days after the preliminary decision of the Appeals Committee to request a hearing before the Board of Directors

ARC Guidelines: 6/1/76

Board Approved Amendments:

11/10/83 8/14/86 4/14/88 4/13/89 6/14/90 6/11/92 8/13/92 10/08/92 11/12/92 07/08/93 11/11/93  
12/09/93 2/10/94 4/14/94 5/12/94 6/1/94 (Exec. Comm.) 11/10/94 5/11/95 6/08/95 10/12/95  
2/08/96 3/07/96 7/11/96 9/12/96 2/13/97 4/09/98 3/11/99 5/11/00 7/13/00 6/14/01 10/02/01  
12/13/01 1/10/02 7/11/02 10/24/02 9/8/05 12/8/05 7/13/06 1/11/07 12/13/07 11/13/08 2/12/09  
3/12/09 8/13/09 11/12/09 10/14/10 11/10/11 1/12/12 9/13/12 7/11/13 8/8/13 11/14/13 12/12/13  
6/10/14 9/11/14 1/8/15 7/8/15 12/10/15 10/13/16 6/8/17 10/12/17 12/14/17 6/13/19 7/9/20

# APPENDIX A

## ORGANIZATION OF THE ARB/ARC AND GUIDELINES FOR MODIFICATION TO EXISTING STRUCTURES

The Architectural Review Board/Alterations Review Committee (ARB/ARC) of the Lakewood Property Owners Association shall be responsible for preserving and maintaining existing property values at Lakewood. To carry out this responsibility:

1. The committee consists of at least six (6) and no more than twelve (12) LPOA property owners to serve for a period of three (3) consecutive years.
2. Committee Actions
  - a) Determine that all applications are in full compliance with Covenants and Restrictions duly recorded for Lakewood.
  - b) Determine that all applications comply with the written Architectural Control Guidelines, published June 1, 1976, and subsequent amendments which are included as part of the residents handbook. The Committee may make recommendation for changes to these guidelines, to the LPOA Board of Directors, no more than two (2) times annually.
  - c) Render an opinion on all applications as they apply to the City of Lee's Summit Building and Zoning Codes and Requirements.
  - d) The ARB/ARC can recommend to the Board areas of home modifications that are routine that can be reviewed and approved by the LPOA Administrative offices. Once approved by the Board, such applications can be submitted and approved by the LPOA Administrative offices in a quick turn-around.
3. The ARB/ARC shall adhere to all LPOA Covenants, Conditions, and Restrictions for improvements to existing properties.
4. All applications submitted for approval to the Committee will be coordinated by the LPOA Administrative Office.
5. Upon receipt of an application, the LPOA Administrative office will send a standard notification form to all property owners affected by the application.
6. The ARB/ARC will meet on the second and fourth Tuesday of each month in the LPOA office at 7:00 p.m. to review pending applications and comments made by others.
7. When negative comments on a pending application are received, both the property owner who has made application and the property owner making negative comments will be invited to attend the next scheduled meeting to discuss the application with the Committee.
8. Approval of all applications (**SEE: Appendix C or the LPOA Website for copies of the application form**) will take place at a valid meeting, requiring a quorum of the members of the Committee to be in attendance. Approval of all applications which have a written objection by another property owner, who is entitled to object, requires the ARB/ARC to have one more positive vote than the majority normally necessary for approval of the application in question.
9. Disapproval shall be explained explicitly on the Improvement Permit Applications. Any property owner who believes the ARB/ARC has unfairly judged his request for an improvement to an existing property may appeal that finding, in writing, to the LPOA Board of Directors within thirty (30) days of the ARB/ARC meeting date. The Board of Directors may, upon two-thirds majority vote of the Directors, override the findings of the Committee if the Board of Directors believes that the original finding was unfair.
10. The Committee will submit all applications to the General Manager after final approval. All approved applications will be kept on file in the LPOA office. The applicant will be notified in writing by the LPOA staff of action taken by the Committee.
11. The Committee will complete the review process and approve or reject applications within 30 days of submission.

12. Any Parcel Committee or affected property owner who believes the ARB/ARC has improperly or unfairly approved a request for improvement to an existing property may appeal that finding, in writing, to the LPOA Board of Directors within ten (10) days of the date of the approval. The Board of Directors may, upon two-thirds (2/3) majority vote of Directors, overrule and reverse the approval of the ARB/ARC if the Board of Directors find that the original finding was improper or unfair.

# **APPENDIX B**

## **APPROVED COLOR PALETTE FOR LAKEWOOD**

1. ROOFING – For exact color samples, contact LPOA Administrative Offices
2. PAINT – For color palette, contact LPOA Administrative Offices



# APPENDIX C

## ARB/ARC APPLICATION FORMS

1. Attached as Appendix C
1. Contact LPOA Offices
2. Pull forms from web site at [www.LPOA.com](http://www.LPOA.com)

### **Additions, Irrigation Systems**

*[http://www.lpoa.com/pdf/ARBARC\\_additionsirrigationsystems.pdf](http://www.lpoa.com/pdf/ARBARC_additionsirrigationsystems.pdf)*

### **Approved Paint Color Change Request**

*[http://www.lpoa.com/pdf/ARBARC\\_approvedPaintColorChangeRequest.pdf](http://www.lpoa.com/pdf/ARBARC_approvedPaintColorChangeRequest.pdf)*

### **Approved Roofing Product Request**

*[http://www.lpoa.com/pdf/ARBARC\\_approvedRoofingProductRequest.pdf](http://www.lpoa.com/pdf/ARBARC_approvedRoofingProductRequest.pdf)*

### **Common Ground Improvements**

*[http://www.lpoa.com/pdf/ARBARC\\_commonGroundImprovements.pdf](http://www.lpoa.com/pdf/ARBARC_commonGroundImprovements.pdf)*

### **Dead Tree Removal Request**

*[http://www.lpoa.com/pdf/ARBARC\\_deadTreeRemovalRequest.pdf](http://www.lpoa.com/pdf/ARBARC_deadTreeRemovalRequest.pdf)*

### **Driveways, Sidewalks, Porches and Patios**

*[http://www.lpoa.com/pdf/ARBARC\\_drivewaysSidewalksPorchesAndPatios.pdf](http://www.lpoa.com/pdf/ARBARC_drivewaysSidewalksPorchesAndPatios.pdf)*

### **Fences, Dog Pens and Painting**

*[http://www.lpoa.com/pdf/ARBARC\\_fencesDogPensAndPainting.pdf](http://www.lpoa.com/pdf/ARBARC_fencesDogPensAndPainting.pdf)*

### **Landscaping, Retaining Walls and Seawalls**

*[http://www.lpoa.com/pdf/ARBARC\\_landscapingRetainingWallsSeawalls.pdf](http://www.lpoa.com/pdf/ARBARC_landscapingRetainingWallsSeawalls.pdf)*

### **Play Equipment, Swimming Pools, Spas and Hot Tubs**

*[http://www.lpoa.com/pdf/ARBARC\\_playEquipmentSwimmingPoolsSpasHotTub.pdf](http://www.lpoa.com/pdf/ARBARC_playEquipmentSwimmingPoolsSpasHotTub.pdf)*

### **Roofing, Decks and Sun Covers**

*[http://www.lpoa.com/pdf/ARBARC\\_roofingDecksSunCovers.pdf](http://www.lpoa.com/pdf/ARBARC_roofingDecksSunCovers.pdf)*

# **APPENDIX D**

## **MAJOR ARTERIAL ROADWAYS WITHIN LAKEWOOD**

The approved list of major arterial roadways for ARB/ARC purposes are:

1. Lakewood Boulevard
2. Lake Drive
3. Gregory
4. Channel Drive
5. Woods Chapel east of Gregory
6. Dick Howser Drive
7. Velie Road
8. Anderson
9. Fairway Homes Drive (south of LaCosta)
10. Lee's Summit Road.