

## ACC Rule Revision

### Current Rule:

#### **SECTION X - SHOREZONE SWIMMING POOLS**

##### **PC.10.1 Swimming Pools Located in the Shorezone**

Lakefront property owners may apply for approval to install a swimming pool and related improvements such as pumps, pool equipment, fences, and pool decks located in whole or in part on the Shorezone. The member must submit a permit application that meets all the requirements of PC.5.13 (use the checklist) and the request for encroachment. The request for encroachment to build is submitted by Planning and Compliance, not the member, to the water company. The approval for encroachment rests completely with the water company, the owner of the land. The member is responsible to maintain such improvements and is subject to any conditions imposed by the Committee and/or the water company. The member may be required to modify or remove the swimming pool and related improvements at some future date.

##### **PC.10.2 Application Requirements**

An application for Committee approval / encroachment permit for a swimming pool and related improvements upon the Shorezone are available at the Planning and Compliance Department. The items required are:

PC.10.2a - A completed application form signed by all the owners of record of the lakefront lot.

PC.10.2b - Submission of an Agreement and Covenant (Running with the Land) (referred to as the "Covenant") that has all blanks filled in with the required information. A plot plan prepared by a licensed land surveyor or licensed civil engineer must be attached as an exhibit depicting the proposed improvements, their proposed location and distances from the proposed improvements to:

- o The boundary of the lakefront lot closest to the lake.
- o Existing improvements on the lakefront lot.
- o The nearest improvements on the lakefront lots directly adjacent to the applicant's lakefront lot.
- o Existing improvements on the EVMWD property within three-hundred (300) feet of the proposed improvements.
- o Must drain to the sanitary sewer through a "p" trap with an air gap.
- o The 1383 msl contour.

The Covenant must also have the original signatures of all owners of record of the lakefront lot accompanied by completed original notary acknowledgments for each signature sufficient to allow recordation of the document, as well as the original signatures of the EVMWD officials specified on the Covenant, again accompanied by original notary acknowledgements for those signatures sufficient for recording purposes

**Proposed Change Redlined:**

**SECTION X – ~~SHOREZONE~~ LAKESIDE SWIMMING POOLS**

**PC.10.1 Swimming Pools Located ~~in the near the~~ Shorezone and, if applicable, a Sewer Easement**

~~Lakefront property owners may apply for approval to install a swimming pool and related improvements such as pumps, pool equipment, fences, and pool decks located in whole or in part on the Shorezone.~~ The member must submit a permit application that meets all the requirements of PC.5.13 (use the checklist) and the request for encroachment if needed. The request for encroachment to build is submitted by Planning and Compliance, not the member, to the water company. The approval for encroachment ~~on~~ near the shorezone rests completely with the water company, the owner of the land. The member is responsible to maintain such improvements and is subject to any conditions imposed by the Committee and/or the water company. The member may be required to modify or remove the swimming pool and related improvements at some future date.

**C.10.2 Application Requirements**

An application for Committee approval / encroachment permit for a swimming pool and related improvements ~~upon~~ near the Shorezone are available at the Planning and Compliance Department. The items required are:

**PC.10.2a** - A completed application form signed by all the owners of record of the ~~lakefront~~ lakeside lot.

**PC.10.2b** - Submission of an Agreement and Covenant (Running with the Land) (referred to as the "Covenant") that has all blanks filled in with the required information. A plot plan prepared by a licensed land surveyor or ~~licensed~~-registered civil engineer must be attached as an exhibit depicting the proposed improvements, their proposed location, and distances from the proposed improvements to:

- o the ~~boundary~~ property lines of the ~~lakefront~~ lakeside lot closest to the lake,
- o the pool water and/or other structures that must be five (5) feet minimum from the rear and side property lines on the owner's property,
- o the existing rear improvements on the ~~lakefront~~ lakeside lot,
- ~~o The nearest improvements on the lakefront lots directly adjacent to the applicant's lakefront lot.~~
- o and the existing improvements on the ~~EVMWD~~ water company property ~~within three-hundred (300) feet of the proposed improvements~~ such as a seawall and dock ramp.

ALSO:

- o The pool must drain to the sanitary sewer through an in-ground line with a “p” trap with an air gap. A line must be shown from the pool equipment to the sanitary sewer with “ ‘p’ trap and air gap” labeled by the sanitary sewer location.

- ~~o The 1383 msl contour.~~

- o Minimum height of water for a pool, trough, or a water feature is 1388’ msl. The actual water elevation must be shown on the plan.

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The Covenant must also have the original signatures of all owners of record of the lakefront lakeside lot accompanied by completed original notary acknowledgments for each signature sufficient to allow recordation of the document, as well as the original signatures of the EVMWD officials specified on the Covenant, again accompanied by original notary acknowledgements for those signatures sufficient for recording purposes.

**Proposed Change:**

**SECTION X – LAKESIDE SWIMMING POOLS**

**PC.10.1 Swimming Pools Located near the Shorezone and, if applicable, a Sewer Easement**

The member must submit a permit application that meets all the requirements of PC.5.13 (use the checklist) and the request for encroachment if needed. The request for encroachment to build is submitted by Planning and Compliance, not the member, to the water company. The approval for encroachment on or near the shorezone rests completely with the water company, the owner of the land. The member is responsible to maintain such improvements and is subject to any conditions imposed by the Committee and/or the water company. The member may be required to modify or remove the swimming pool and related improvements at some future date.

**C.10.2 Application Requirements**

An application for Committee approval / encroachment permit for a swimming pool and related improvements near the Shorezone are available at the Planning and Compliance Department.

The items required are:

- PC.10.2a** - A completed application form signed by all the owners of record of the lakeside lot.

- PC.10.2b** - Submission of an Agreement and Covenant (Running with the Land) (referred to as the “Covenant”) that has all blanks filled in with the required information. A plot plan prepared by a licensed land surveyor or registered civil engineer must be attached as an exhibit depicting the proposed improvements, their proposed location, and distances from the proposed improvements to:

- o the property lines of the lakeside lot closest to the lake,
- o the pool water and/or other structures that must be five (5) feet minimum from the rear and side property lines on the owner’s property,

- o the existing rear improvements on the lakeside lots,
- o and the existing improvements on the water company property such as a seawall and dock ramp.

ALSO:

- o The pool must drain to the sanitary sewer through an in-ground line with a “p” trap with an air gap. A line must be shown from the pool equipment to the sanitary sewer with “a ‘p’ trap and air gap” labeled by the sanitary sewer location.
- o Minimum height of water for a pool, trough, or a water feature is 1388’ msl. The actual water elevation must be shown on the plan.

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The Covenant must also have the original signatures of all owners of record of the lakeside lot accompanied by completed original notary acknowledgments for each signature sufficient to allow recordation of the document, as well as the original signatures of the EVMWD officials specified on the Covenant, again accompanied by original notary acknowledgements for those signatures sufficient for recording purposes.

**Fine** – No change. No fine. Information only.

**Justification:** PC.10.1 and PC.10.2 needed to be updated to represent the current requirements now established by the lake lease.

