

## Holishor Association Building & Architectural Requirements

**INTRODUCTION:** The Holishor Association Building and Architectural Review Committee (HSBARC) will regulate Holishor construction as a chartered sub-committee of the Holishor Board of Directors. The following guidelines and requirements shall be used by this committee in regulating all construction, modifications, and changes to buildings in the community known as Holiday Shores.

Holishor Association building permits are required for: new homes, additions and remodels, garages, boat docks, swimming pools, fences, seawalls, sheds and dog pens, or any other type of exterior construction. All construction within the boundaries of Holiday Shores must meet accepted standards of quality as determined by the HSBARC and the Holiday Shores Board of Directors. Decisions of the board of Directors will be final.

The Building Committee meets on the first and third Tuesday of each month at 6:30 PM. All applications must be complete and submitted to the Holishor office 7 days prior to the meeting date to allow for processing and inspection by Holishor personnel and members of the HSBARC. No applications will be processed for walk-ins the night of the meetings.

HSBARC members are to have copies of the agenda and applications, (excluding blueprints) four (4) days prior to each meeting to review the paperwork.

It is the member's responsibility to obtain a Madison County building permit for such structures requiring one. To obtain a building permit the Holishor Association member must be in good standing when submitting any building plans for approval. The member and contractor agree to abide by all Holishor Associations rules and regulations. All contractors and home owner/builders must have a copy of the current building requirements. The HSBARC can hold all plans for 14 days, if necessary, before issuing a permit. The member agrees to periodic construction inspections.

There shall be NO pre-finished or pre-furnished homes allowed in the Association. All mechanical phases (i.e. electrical wiring, plumbing, heating, etc.) must be open and visible for thorough inspections.

A copy of a certified lot survey from a registered surveyor is required before a building permit will be issued for any new home construction. The survey pins must be marked with either bright painted stakes or flags. The HSBARC will not arbitrate land or property disputes among members and shall not include themselves in any type of redesign so to meet the requirements of this document.

### **APPROVALS:**

**Holishor Association:** Three (3) complete sets of house building plans, along with a certified copy of the lot survey, must be submitted by the member/owner or contractor to the HSBARC for approval. All approved plans must be stamped and signed by two (2) members of the HSBARC. One (1) set of plans will be retained for Holishor Association file, the other two (2) sets of plans will be returned to the applicant for submission to Madison County for the official county building permit.

**Madison County:** Two sets of Holishor Association approved plans must be submitted to the Building and Zoning Department of Madison County for approval and issuance of the official county building permit.

**VARIANCES:** All Holishor members will retain the right to request a variance from the HSBARC, then, if necessary, the Board of Directors to allow for deviations from the Holiday Shores Building Rules and Regulations.

**DELAYED STARTS:** The Building Committee may give a builder a delayed start if the project has not been started in any way. The committee will only issue 2 delayed starts of up to six months each, after which the permit will be cancelled, and can be resubmitted at a later date.

**HOLISHOR ASSOCIATION DEPOSITS, FEES, AND REFUNDS:**

<b>Structure</b>	<b>Deposit &amp; Refundable amount</b>
House	\$4000 (\$3200 refundable)
House 1 <sup>st</sup> Extension	\$400 (non-refundable)
House 2 <sup>nd</sup> Extension	\$1200 (non-refundable)
Swimming Pool	\$300 (\$150 refundable)
Garages	\$800 (\$400 refundable)
Additions	\$800 (\$400 refundable)
Deck	\$100 (\$50 refundable)
Porch	\$100 (\$50 refundable)
Dock I	\$50 (\$25 refundable)
Dock II	\$100 (\$50 refundable)
Dock III	\$200 (\$100 refundable)
Fence	\$50 (\$25 refundable)
Seawall	\$200 (\$100 refundable)
Storage Shed	\$150 (\$75 refundable)
Dog Pen	\$25 (\$10 refundable)

A deposit of one thousand dollars (\$1000.00) will be required for new home construction. Two hundred dollars (\$200.00) will be refundable; eight hundred dollars (\$800.00) will be retained by the Association. In addition, contractors will be required to pay a \$3,000.00 deposit for new home construction. This deposit will be refunded in full if the contractor follows all rules, regulations and guidelines, written or verbal, upon completion of the home. Fines will be levied against this deposit, and said portion forfeited, if these guidelines are not met. The fines are levied at the sole discretion of Holishor personnel.

The building permit deposit becomes due and payable upon committee approval of the building/architectural plans. The refundable portion of the deposit will be granted for a new house if the exterior of the house and grading of yard is completed within six months. All other construction projects are required to be completed within six (6) months for a deposit refund.

A time extension for new home construction may be granted for completing the project, if the extension is requested before the original permit expires. One ninety day extension may be granted by the HSBARC; there will be a \$400 fee for the first 90 day extension. One additional extension may be granted but will require the approval of the Holishor Board of Directors. This extension will require an additional non-refundable fee of \$1200. The member must be present at the board meeting for the extension to be considered by the Board of Directors.

Example: New home construction total refundable deposit is \$3200, with a 90 day extension (\$400) would change refundable amount to \$2800

New home construction total refundable deposit is \$3200, with two 90 day extension (\$1600 total) would change refundable amount to \$1600.

No additional extensions may be granted. Failure to complete the entire construction project, (not just the exterior and final grade), will result in the total forfeiture of all remaining deposits.

The final determination as to whether an extension is granted is at the sole determination of the Holishor Board of Directors. Each permit will stand on its own merits and no precedence shall be placed on past decisions of the Board of Directors.

**BUILDING PLAN REQUIREMENTS:**

Three (3) complete sets of architectural blueprints, drawn to scale are required. Prints must be specific to the proposed location, be detailed architectural plans, and be printed in blueprint format on paper no less than 24x36. The HSBARC has the right and sole discretion to reject unacceptable drawings.

**Blueprints must include the following information:**

**Dimensions:** All dimensions shall be drawn to scale with angles and north indicated. The property lines, general slope of lot, and adjacent street names shall be noted. The size and location of the structure shall be shown, including all appurtenances and the distances of the structure to the adjacent streets.

**Floor Plan and Elevation Views:** The plans must include views of each level containing finished rooms drawn to scale with dimensions shown. There must be elevation views, drawn to scale, of all four sides showing exterior materials, finishes, and finished earth grades. A specification sheet of materials is to be used must accompany all plans submitted for approval.

**EXTERIOR FINISHES:** The building materials used for the exterior surface of any dwelling shall be substantially the same as the materials used in the five residences nearest to the proposed dwelling or such material approved by the building committee. All exterior doors must be painted or finished. Doors with pre-painted primer coats will not be considered a final coat.

All newly constructed homes will be required to utilize brick on the front of the house. The fronts of homes must contain 100% brick or other masonry, one story high. The brick usage plan must be approved by the HSBARC.

**Footings:** An elevation and plan view shall be included with the plans identifying reinforcing bar location and concrete specifications, such as bag mix and any special requirements. Reinforcing bars shall be used in all footings. Key ways shall not be used, unless accompanied by standing reinforcing bars.

**Zoning Requirement:** Shall conform with the Holishor Association Covenants and Madison County Zoning Ordinance "R-3 Residential."

**MINIMUM SQUARE FOOTAGE PER HOUSE REQUIREMENTS:**

The minimum square footage per house as measured on one floor (defined by a single horizontal plane passing through the structure) not including garages, porches and appurtenances shall be as follows:

Sections 1, 2 and 3	All Other Sections
"C" lots 900 sq. ft.	"C" lots 1250 sq. ft.
"B" lots 750 sq. ft.	"B" lots 1050 sq. ft.
"A" lots 900 sq. ft.	"A" lots 900 sq. ft.

The minimum square footage per house for homes built on property purchased after May 16, 1981 shall be as follows:

Sections 1, 2, 3, 4
"C" lots 1250 sq. ft.
"B" lots 900 sq. ft.
"A" lots 1050 sq. ft.

Two story homes shall have a minimum of 1750 sq. ft. total with a minimum of residential living space on the ground or first floor of 1050 sq. ft.

The minimum square footage per house for homes built on property purchased after May 21, 1994 shall be as follows:

Sections 1, 2, 3, 4
"C" lots 1500 sq. ft.
"B" lots 1200 sq. ft.
"A" lots 1200 sq. ft.

Two story homes shall have a minimum of 2000 sq. ft. total with a minimum of residential living space on the ground or first floor of 1200 sq. ft. Split-level homes will not be considered as two story homes.

A difference of one percent (1%) will be allowed on all area requirements. A size variance may be requested from the Building Committee then, if necessary, the Board of Directors should any lot prohibit the construction of a house of the required square footage.

**SET-BACKS FOR HOMES:**

**Front Building-line set-back:** The residence shall be constructed so that the front of the house faces the street to which the lot number was originally assigned. The residence shall be a minimum of twenty-five (25) feet from the front property line to the nearest point of the foundation.

**Side Building-line set-back:** There shall be (10) from the side property line to the structure, deck or porch; except that if one side adjoins a street, the minimum set back for that side is twenty-five (25') feet. A thirty-inch (30") maximum roof overhang is allowed to encroach on this set-back.

**Rear Building-line set-back:** There shall be a minimum of thirty (30') feet from the rear property line to the nearest point of the structure or porch or appurtenances; except that the rear set-back on lakefront lots shall be a minimum of fifty (50') feet to the water's edge during normal level at 505.0 ft. MSL.

**GARAGES, DRIVEWAYS, SIDEWALKS, DECKS, PORCHES, CULVERTS and DRAINAGE DITCHES:**

Homes must be built on a basement or crawl space. Slab homes will not be allowed.

A two car attached garage with a minimum size of twenty (20) feet by twenty-two (22) feet having a paved surface in front of the garage doors with a minimum size of sixteen (16) feet by twenty (20) feet shall be required of all new home construction. In addition, the remaining driveway, to the street, must be a solid surface. Rock driveways will no longer be allowed. A solid surface front walkway will be required from the driveway or street, to the front door of the home. -----Carports will not be permitted.

All driveways will be constructed in accordance with Madison County Zoning Ordinance, Section 606.1. A minimum of four (4) off-street parking spaces will be provided for all residences in accordance with Madison County Zoning Ordinance, Section 607.0.

All new homes will be required to have at least one (1) deck or porch, with a minimum size of twelve (12) feet by twelve (12) feet or 144 square feet, for at least one door exiting the rear of the home. Any additional doors exiting the rear of the dwelling must have a deck, patio or porch that is at least 10' x10' or 100 square feet.

Culverts are required for all new driveways or the reconstruction of existing driveways. The culverts must meet the following minimum specifications: a minimum diameter of twelve inches (12"), made of either concrete or galvanized 16-gauge spiral locked-seam pipe. The culvert must be positioned to allow continuous flow of water through the existing or newly constructed ditch and the culvert shall not extend more than 24" beyond the finished sides of the driveway. Any culvert situation not covered herein shall be reviewed by the HSBARC to establish an approved and effective drainage pattern. Filling existing drainage ditches or swales, which presently allow water, run off from the roads or road ditches to the lake is prohibited. New construction or reconstruction of drainage ditches along the road must permit a continuous flow of water in the ditch, not on the road. The ditch shall be at least 18" deep with a gradual swale; the width of the swale must be at least three feet (3'), unless determined otherwise by the committee. Any drainage situations not covered in the building rules shall be reviewed by the lake manager and/or the HSBARC to establish an approved and effective drainage solution.

**ENVIRONMENTAL AND EROSION CONTROL:** All contractors will be required to follow the Rules and Inspection Requirements as written by Madison County for Erosion and Sediment Control. Failure to do so will result in significant fines levied by The Holishor Association. A construction dumpster will be required for all new home construction. The burning of construction waste is strictly prohibited.

Any excavating during constructions shall have a temporary erosion control structure in place to prevent any material from entering the lake, adjacent property, the drainage ditches, or swales. This erosion control structure can be straw bales with soil cloth, or a commercial product like Enviro-Fence. An erosion control plan must be filed at the time the building plans are submitted to the HSBARC. All erosion controls shall be in place at all times. In the event erosion control is not maintained or mud, silt or other contaminates are transferred to Holishor Association roads it must be cleaned up to substantially similar pre-existing road conditions. Methods must be submitted in writing and approved by Holishor Association.

## **DRAINAGE:**

1. On all new house construction projects the sump pump clear water drainage pipe must be buried to the ditch line or the lake. This water can not be diverted to the adjoining lots or residents property.
2. All storm water drainage must be constructed in a way as not to divert water to a neighbor's property during construction or after completion.
3. No drainage may be blocked on temporary construction driveways or existing road culverts.
4. On all new house construction projects it is the contractor's responsibility to design drainage ditches with a slope that will transport storm water in the direction of normal flow along the roadways.

**LANDSCAPING REQUIREMENTS:** Sod shall be required on steep slopes of 3:1 or greater pitch. Sod shall be required on all storm water runoff areas. Except, however, that sod shall not be required for areas of the site which had a slope exceeding a 3:1 prior to site development and which will remain in an undisturbed natural site.

Each lot owner shall provide a minimum of two (2) hardwood trees that are at least two (2) inches in diameter measured at one (1) foot above the ground and a minimum height of eight (8) feet tall or decorator landscape trees such as (Japanese Maples) at least (6') feet tall. These trees are to be placed between the street and the front of the house of each lot and are to be no closer than forty (40) feet from each other. If lot size is a problem, a variance may be attained from the HSBARC.

All yards must have sod or be seeded and covered with straw upon completion of seeding to avoid erosion. There must be at least (4) shrubs planted in the front yard.

## **BUILDING REQUIREMENTS FOR STRUCTURES OTHER THAN HOUSES**

**BOAT DOCKS:** Are allowable on all lakefront building lots. The set-back requirements shall be as follows: the distance from either of the property lines shall be a minimum of five (5) feet, and the boat dock may extend into the lake a maximum of sixteen (16) feet on the main lake and twenty (20) feet on the fishing arm and coves; except; no structure shall extend greater than twenty percent (20%) of the distance across any cove. The setbacks must be met up to twenty (20) feet into the lake. Only a roof and supporting structures are allowable; it cannot be closed in. HSBARC building permits required. Plans should include a material list, anchoring methods, and a description of the flotation material. No rubber tires shall be allowed.

**Association-Owned Outlot Docks:** A limited number of boat docks may be built on Association owned outlots with approval of the Building Committee.

**BOAT LIFTS:** They shall be included in the dimensions of boat docks and shall not exceed beyond those limits.

**PATIOS and DECKS:** Are allowable on all building lots. The same set-back requirements pertain as for boat docks. Non-lakefront requirements shall observe residential setback dimensions. Patios and decks will not be allowed on non-lake front lots unless a residence has been constructed. On lakefront lots, a patio or deck may be constructed if there is an existing approved seawall.

**STORAGE SHEDS:** Only one shed is permitted on any single or combined lots. All sheds are to have a structurally sound base and a strong internal support structure. Sheds must match the dwelling and be aesthetically appealing. No carbon steel sheds are allowed. Sheds over 200 square feet must be placed on a foundation. Setbacks for storage sheds are 10 feet from side lot lines, 10 feet from rear property lines and 25 feet from a side lot line that is adjacent to a street. The front of a storage shed may not extend past the rear of the home. All aspects of sheds, such as structure support, aesthetics, style, size etc., MUST be approved by HSBARC. If an out building has a driveway with access to a road, it shall be considered a garage.

**FENCES:** The minimum requirements of Madison County must be met. A HSBARC building permit is required. Barbed wire construction, privacy fences, shadow box fences and stockade fences will not be allowed in Holiday Shores.

**FENCES on NON-lake front homes.**

**Material:** All fences must be of the open mesh or vinyl (chain link) type, wood, plastic wood or similar construction. Fences constructed of wood must have a minimum thirty three (33) percent open surface. Therefore, 2 inches of open space is required between the sides of a 6-inch board.

**Height:** Fences must not exceed six (6') feet in height nor may they be less than forty-two (42") inches high. Chain link fences may not exceed 48 inches in height.

**Setbacks:** Side lot-line fences shall not be closer to the fronting street property line than the front of the residence or main structure and in no case closer than twenty-five (25) feet to the side street property line. Front line fences will be allowed on an adjoining lot as long as the 25-foot setback is followed. In the event the rear setback of a lot is on the street behind the home, the 25-foot setback requirement must be met. Fences that extend past the front of the home are prohibited.

**FENCES on LAKE front homes**

**Material:** All fences must be of the open wrought iron, wood, plastic wood or similar construction. Fences constructed of wood must have a minimum fifty (50) percent open surface. Therefore, 4 inches of open space is required between the sides of a 4-inch board. Chain link fences will not be allowed on lake front lots.

**Height:** Fences must not exceed six (6') feet in height nor may they be less than forty-two (42") inches high.

**Setbacks:** Side lot-line fences shall not be closer to the fronting street property line than the front of the residence or main structure and in no case closer than twenty-five (25) feet to the side street property line. Front line fences will be allowed on an adjoining lot as long as the 25-foot setback is followed. In the event the rear setback of a lot is on the street behind the home, the 25-foot setback requirement must be met. Fences that extend past the front of the home are prohibited.

**Lake Front Setbacks:** Fences will be allowed to run across the lot of a lakefront home. As long as the fence remains 25 feet from the water. A side fence line may run to the lake on a lake front lot.

**DOG PENS:** Dog pens are to be constructed of chain link only; they are to be at least 6 feet tall and between 36 and 72 square feet. Set backs for dog pens are to be 10 feet from side lot lines, 10 feet from rear property lines and 25 feet from a side lot line that is adjacent to a street. Lake front lot pens must remain 25 feet from the lake. Only one dog pen is allowed per lot or combination of lots and dog pens cannot extend past the rear of the house.

**HOME AND LOT MAINTENANCE AND APPEARANCE:**

Any of the aforementioned structures that have deteriorated into disrepair a hazardous condition, or cause an eyesore to the community shall be subject to a repair or removal order by the Holishor Association Board of Directors.

The Holishor Association Board of Directors shall send a certified letter to any homeowner whose property or building structures has deteriorated to a state of disrepair. The reason and expectations will be addressed. The homeowner will be given 30 days to comply or address the Board as to an agreeable plan of action for repairs. If the homeowner does not respond within the 30 days or does not forward the agreed upon plan within an additional 30 day period, legal action shall be taken.

Revised May 14, 1981; Adopted May 16, 1981  
Adopted May 18, 1991; Adopted May 22, 1991  
Revised March 15, 1994; Adopted May 21, 1994

**ADDITIONAL STRUCTURES:** No more than one additional structure shall be permitted per single or double lot. This pertains to sheds and detached garages.

**SEAWALLS:** Seawall requirements are addressed by Holishor Association By laws Attachment 001. Written construction guidelines are available from the HSBARC. Plans for seawalls to be built to a former property line shall

be submitted to the HSBARC for review/approval and/or appropriate action. Seawalls shall be securely anchored to prevent wall members from becoming dislodged and entering the lake.

Holishor will not allow seawalls to be installed from barges on Holiday Lake or SuTwan lake. In addition, the use of hydraulic pile will not be allowed. All seawall plans must be approved by the HSBARC and this committee will have the authority to reject said plans based on the design elements or materials to be used. A member will have the right to request a variance from the Holishor Board of Directors if their plans have been rejected by the HSBARC. The decision of the Board of Directors will be final.

**SWIMMING POOLS:** HSBARC and Madison County building permits are required.

Any pool must be on the same lot as the principle residence and its construction shall not precede the construction of such residence.

**Setbacks:** No pool may extend closer to the fronting street than the rear of the residence or an appurtenance, five feet from the primary building, or not closer to the side street property line than twenty-five (25) feet. On "A" and "B" lots the pool must be a minimum of ten (10) feet from the rear or side property line. On "C" lots a minimum of twenty-five (25) feet must be maintained from the water's edge at no lower elevation than 505.0 feet MSL.

**Below Grade Pools:**

Must be a minimum of ten (10') feet from any grinder pump system.

A fence of at least forty-eight (48'') inches must surround the pool area. The fence must comply with Holishor Association requirements. All the access gates must be equipped with security lock system.

All setback requirements for a below grade pool are the same as for an above ground pool.

**Above or Partially Above Grade Pools:**

Must be a minimum of ten (10') feet from any grinder pump system.

Any portion of the pool or its structure, deck, or platform must be a minimum of ten (10') feet from side or rear lot line, and a minimum of thirty (30') feet from street side property line.

There shall be an approved locking safety device on the one (1) and only access to the pool platform. Swimming pool building permits shall be coordinated with Holiday Shores Sanitary District prior to obtaining a Madison County permit.

**Waterfront Lots**

Members who own waterfront lots may, with the prior approval of the building committee, construct their own private beach, boat dock and/or raft permanently affixed to their lot above the waterline.

**Citations & Warnings**  
*Updated Aug 17, 2009*

Violation of the Building and Architectural Requirements or the required Madison County Building Codes shall be just cause for punitive action to be recommended by the Building Committee and forwarded to the Holishor Association General Manager for action. Warnings or citations will be issued for all violations and a copy will be forwarded to the Building Committee.

The Holishor Association General Manager does not need a recommendation from the Building Committee to take action, (warnings or citations), to enforce the Holiday Shores Building & Architectural Requirements, (HSBAR).

**Suspension of Privileges**

Continued violation of the Bylaws, Rules, Regulations and Restrictions or the HSBAR shall be just cause for monetary fines as well as the suspension of a member's right to use the Association facilities

These actions are pursuant to Article IX Section 1 of the Holishor Association Bylaws.

A contractor's continued violation of these codes may result in suspension of approval for future projects in Holiday Shores.

**MEMBER Infraction Levels**

Warning letters shall be issued by the Holishor Association prior to any monetary fine or suspension of a members rights to use Association facilities.

Level 1	\$50.00	Fine to be issued no sooner than 2 weeks after a warning letter
Level 2	\$100.00	Suspension of member's right to use Association facilities for 3 months.
Level 3	\$200.00	Suspension of member's right to use Association facilities for an additional 6 months.
Level 4	\$200.00 a week	Suspension of member's right to use Association facilities for 1 year

If a member fails to correct a violation of the building code he/she shall be subject to an escalation in the fine structure every 30 days until Level 4 has been reached.

A member that has multiple violations of the building codes shall be subject to escalation in the fine structure with each violation.

**CONTRACTOR Infraction Levels**

Warning letters shall be issued by the Holishor Association prior to any monetary fines.

Level 1	\$250.00	Fine to be issued no sooner than 2 weeks after a warning letter
Level 2	\$500.00	
Level 3	\$500.00	Suspension of contractors rights to future projects approved in the Holishor Associatoin.

If a contractor fails to correct a violation of the building code he/she shall be subject to an escalation in the fine structure every 30 days until Level 3 has been reached.

*(BOD Meeting August 12, 2009)*