

## Orchid Grove Subdivision

### Outbuilding Guidelines

#### Amendment to Article IX: Land Use and Building Types

These rules are subject to Home Owner approval at the next home owner meeting, but are in effect as a temporary measure to protect the home owner in the interim period prior to the approval process. As of this date August 1, 2009, these temporary rules apply. Once out building rules are approved, all home owners will be given notice by the elected officers when a structure will be added to a home owner's site and the nature of the buildings use.

Home owner members in good standing with the Orchid Grove Home Owner Association expect the officers and residents to respect and protect our valuable assets. Within their power the elected officers maintain the right to govern any building construction, quality, fit and finish, design and to control the building placement and size of any out building on any Orchid Grove Subdivision lot. Permission from the board or elected officers is required to move, erect, construct, build or in some way place a building of any size or nature on a private lot within the association's boundaries. Home owners are advised to receive permission prior to the construction of an out building on a private lot and failure to do so will result in a cease or desist order from the association and may include a request for complete removal of any structure.

1. **OUT BUILDINGS:** Out buildings are defined as any additional building or structure that is added to any Orchid Grove Association home owners lot that is not now or was not previously a part the original design and/or construction of the initial property development. Any added building that is not part of the originally developed property site, without regard to size, shape or intent of use, shall not occur without prior written approval from Orchid Grove Association's elected officers. An **out building** definition includes but is not limited to a storage shed, garage, tree house, club house, pet house or doll house or den like structure, or any enclosed structure that will be added to the property for any reason and specifically built on site for a purpose. The exception to these rules are any commercially prepared "KIT" which includes a child play center, swing set, and slide or climbing devices, specifically identified for children's entertainment. This "KIT" may include a manufacture's building like structure, or playhouse which is of the intended original design by the manufacture and the construction material is consistent with the same material as the kit was first sold to the home owner and can be purchased as a total kit or an add on to the kit and is specifically defined as an outdoor play area for children. No other structure even when classified by the property owner as a structure to be used as a children's play house, den, club house etc. can be privately constructed or moved on site without association approval when it is not part of a "kit" as defined above.
2. All out buildings require Orchid Grove home owner association elected officer permission, in writing.
3. All out building require a complete plan of construction that reveals the final look (picture or drawing) size, type, style, measurements and a complete materials list along with a plot plan as to where the building will be placed on the property.

4. All out buildings will comply to all city codes and or permits when warranted
5. No out building shall be used for residential occupancy.
6. Out buildings will be limited to one story and will fit onto the dimensions of the lot and placed off the back or side of the property line. No out building will be permitted to be placed to the front of the lot. Setback zones will be at least ten feet from any property line, side and back.
7. Orchid Grove Subdivision will allow only one outbuilding per site.
8. As instructed in the Orchid Grove Covenants, outbuildings will be fabricated of the same material (brick siding, vinyl trim) as the primary residence.
9. No metal building material or prefab metal buildings or metal building kits are permitted where the primary siding, roof and doors are all metal.
10. No all wooden buildings or wooden building kits are permitted where the primary siding is wooden or vinyl siding.
11. No pole barn, structural steel or commercially available all steel buildings will be permitted.
12. Regardless of material construction, portable building that are prefabricated in nature and identified as sheds, utility building or structures that are pre-assembled and moved or placed on a site are not allowed.
13. The outbuilding brick siding, windows, doors, roof pad and footing will be of the same professional quality and material as the main residential structure and shall be purchased new. All out buildings shall be professionally designed and constructed using commonly known construction methods or codes widely known to be incorporated into the private dwelling building industry.
14. Out buildings will be placed on a suitable masonry foundation or concrete pad, commonly used in the construction industry for any ordinary structure that require a foundation base, concrete pad, or masonry pony wall. Treated or none treated lumber of any nature are not permitted as a foundation base. Masonry block brick or stone, not supported by a footing and are not joined together by masonry cement to form a common wall are not considered a proper foundation base. Timber, logs or rail ties are not permitted. Masonry columns, wood posts or support structures that resemble pillars and are designed to support portions of a building base and elevate the building on a pedestal like posture allowing air space under the buildings floor are not approved foundations. The entire building shall be supported, in a manner so that all perimeter building walls rests on a suitable concert pad or block foundation. The foundation or pad base shall be of the same quality and material as the home owner's dwelling foundation or pad. Above ground foundation structures that extend greater than one foot (12") in height from ground level, shall match the same style, type and quality in material as the original residential dwelling.
15. Once construction of an out building has started, the building must be completed within thirty days of the construction start date. The building roof must be shingled using similar color and type material as the primary resident. All trim, doors and windows shall be the same décor as the primary residential structure.
16. Homeowner's are responsible for the proper maintenance and upkeep of the out building and shall assure the Orchid Grove Home Owner's Association that the condition of the out building will remain in excellent condition and appearance.
17. Within thirty days after a written complaint has been provided to the home owner, from Orchid Grove Home Owner's Association elected officers, in regards to the out building being out of compliance, the home

owner is required to bring the out building into compliance. After thirty days of non compliance, the Orchid Grove Home Owner's Association retains the right to have any out building removed, demolished, or repaired at the home owner's expense. The Orchid Grove Association retains the right to place a lien on the property or make other necessary legal binding arrangements until the property owner complies with out building criteria.