



# **Incline Village Construction Guidelines By the Board of Trustees**

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**October 24 2015  
Updated May  
2023**

## Inline Village Construction Guidelines

### **1.0.0 Rules and Regulations - Creation, Purpose, and Authority**

(Indenture Reference section Article III and V)

#### 1.0.1 Rules and Regulations

The Rules and Regulations of Incline Village are created, enforced, and amended by the Trustees and in the case of any conflict between the provisions of the Rules and Regulations and the Indentures, the Indentures shall prevail. The Rules and Regulations are to be created for the purpose of assisting in regulating, for the benefit and welfare of the community and its residents, the actions of lot owners, renters, and guests with regard to such matters as (but not limited to) appearance of property, use of all motorized vehicles and parking, use of watercraft and lakes and provide for violations.

# Inline Village Construction Guidelines

## **1.1.0 Architectural Design and Construction Guidelines**

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10.0 Violations

11.0 Signature and Authorization

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### **1.2 Construction Hours – (Indenture Reference Article V, D)**

- 1.2.1 The following construction hours shall be observed by the Owner, general contractor, and all sub-contractors for new or add-on construction.
  - 1.2.1.1 Monday through Saturday 7:00 a.m. to 8:00 p.m.
  - 1.2.1.2 No Sundays or Holidays (without written permission of immediate neighbors and a copy thereof filed in the Incline Village Office.)
  - 1.2.1.3 These hours will be strictly enforced.

### **1.3.0 Construction Package**

- 1.3.1.1 An Incline Village (IV) Construction Package containing all the information needed for construction is to be picked up at the Incline Village Office. Office hours may be determined by calling the office phone: 636-463-2047.
- 1.3.1.2 If construction requires use of a neighbor's lot (e.g. to fit a truck around the foundation will require trespassing on a neighbor's lot edge) Owner or contractor must obtain permission in writing from the neighbor and a copy of the letter submitted to the Office. Copies of the form letter are available at the IV Office.

### **1.4.0 Incline Village (IV) Construction Permit Application**

- 1.4.1 An IV Construction Permit must be obtained for all exterior construction projects before any construction or excavation is performed.
- 1.4.2 To obtain an IV Construction Permit the Owner must first acquire and submit all required forms and Permits, including:
  - 1.4.2.1. Government Permits – one copy
  - 1.4.2.3 Construction Plans - one copy
  - 1.4.2.4 Plat/Spot of Survey – one copy
- 1.4.3 The Owner must set up an appointment with the Incline Village Office to submit the required items along with a check for the Construction Deposit.
- 1.4.4 At the IV Office the Owner must fill out the IV Construction Application Checklist (yellow highlighted areas) and submit it along with the items indicated above. This will constitute the application for an IV Construction Permit.
- 1.4.5 The Office staff will check if the Owner is current on their IV account for assessments and violations. No permits will be issued until your IV account is current.
- 1.4.6 The Office staff will ask if the lot lines and building footprint are staked and line-marked and if the trees have been marked that are to be removed and they will indicate those items on the form.
- 1.4.7 A member of the IV Construction Committee will contact the Owner and inspect the construction site. to inspect the lot lines and the building perimeters to make sure those perimeters do not encroach on the easements or neighbors. They will also inspect marked trees to determine if they need to be removed. A Tree Removal Permit is required before any tree larger than 5 inches can be taken down.
- 1.4.8 After inspection and review of all of the items submitted, the Owner will be contacted by the Trustees or agent of their employ, with any questions or to schedule a meeting to discuss possible problems.
- 1.4.9 An IV Construction Permit will only be issued after all of the above items are satisfied and compliance with this document is assured.

### **1.5 Description of required items listed above**

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### 1.5.1 Government Permits

- 1.5.1.1 A copy of County Building Permit –  
Obtained at Warren County Courthouse located in Warrenton, (most of IV.)
- 1.5.1.2 A copy of the Fire Protection District Permit  
Obtained from the Wight City Fire Department in Wright City.
- 1.5.1.3 Other required permits that become necessary not listed herein.

### 1.5.2 Construction Plans

- 1.5.2.1 Submit a non-returnable set of complete plans to the IV Office, drawn to the scale of one-quarter inch equals one-foot. Plans should be clearly legible, in the proper scale and completed in a professional manner.
- 1.5.2.2 Plans shall include:
  - 1.5.2.2.1 List of all materials to be used.
  - 1.5.2.2.2 All side elevations, including their proposed relation to finished grade.
  - 1.5.2.2.3 Foundation plan and footprint.
  - 1.5.2.2.4 Floor-plans for each floor.
  - 1.5.2.2.5 The total (living space) square footage of the home clearly visible on the print..
    - 1.5.2.2.5.1 Plans for improvements and minor alterations such as decks, porches, gazebos, pavilions, etc. can be represented with a drawing or sketch which describes the project. This description will include dimensions of project details and the relationship of the project to the property lines and the home.
  - 1.5.2.2.6 A description of the finish or protective covering of the project.
  - 1.5.2.2.7 Any modification of an approved plan must be re-approved in writing by the Trustees prior to commencing or continuing construction.

### 1.5.3 Plat/Spot of Survey

- 1.5.3.1 A Plat/Spot of Survey shall include:
  - 1.5.3.1.1 The house position and location on the lot and the dimensions of the lot.
  - 1.5.3.1.2 North direction symbol
  - 1.5.3.1.3 The position of the road or roads adjoining the lot
  - 1.5.3.1.4 Driveway location
  - 1.5.3.1.5 All decks, patios, porches, bump-outs, retaining walls, etc.
  - 1.5.3.1.6 Location of proposed trees to be removed.
  - 1.5.3.1.7 Trees intended for removal must be marked with tape around the trunks.  
The physical lot and the construction footprint must be staked, labeled and line-marked to facilitate inspection.

### 1.5.4. Construction Deposit

- 1.5.4.1 The Construction Deposit is to be paid when you submit all of the items to the IV Office.
- 1.5.4.2 A \$5,000 refundable Construction Deposit payable to Incline Village.  
The Construction Deposit refund is subject to damage to the road from trucks entering or leaving the lot or if incorrect road cutting or boring is performed. This deposit is also subject to compliance with IV Indentures of Trust And Restrictions, the Incline Village Rules And Regulations, and these IV Construction Guidelines. Refund is based upon

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review and approval by the Trustees.

- 1.5.4.3 The Construction Deposit for additions and renovations are as follows:  
There is a minimum of five hundred dollar deposit (\$500.00).  
A percentage will be determined by the ratio of the addition/renovation versus the existing structure, i.e., existing home of 1600 sq. ft. versus addition/renovation of 800 sq. ft. which results in a 50% increase.  
Example: Construction Deposit \$5,000.00 x 50% = \$2,500.00

### **1.5.5 Site Inspection**

- 1.5.5.1 The Trustees or agent in their employ will perform a site inspection of the lot, (the Owner may be requested to be present) Included will be:
- 1.5.5.1.1 Building location and relationship to the lot lines and easements
  - 1.5.5.1.2 Location of trees marked for felling, proper need for removal and their placement on the Plat/Spot Survey
  - 1.5.5.1.3 The location of utilities connections and need for boring or trenching.
  - 1.5.5.1.4 Evaluation of drainage problems and adjacent property concerns and the need for and size of a culvert pipe
  - 1.5.5.1.5 Possible need for retaining walls.

### **1.5.6 Approval Notification**

- 1.5.6.1 If the plans are not approved and must be resubmitted; if the plans are approved subject to specified modifications; or if the plans are approved without reservations, the property Owner/General contractor will be notified immediately or by issuance of an IV Construction Permit.
- 1.5.6.2 A signed approved Construction Contract is requested before building can begin.

## **2.0 Design Guidelines**

### **2.0.1 Design Philosophy**

- 2.0.1.1 Design decisions recommended by the Trustees in reviewing applications are judged on their design acceptability as stated in the following guidelines:
- 2.0.1.2 The project must conform to the Indentures, **the Incline Village Rules and Regulations, and these Incline Village Construction Guidelines.**
- 2.0.1.3 The project cannot have known or expected negative affect on the value of neighboring properties.
- 2.0.1.4 The project should be in harmony with its surroundings and consistent in architectural quality, scale and use of approved materials and colors.
- 2.0.1.5 Style and design should be compatible with the architectural characteristics of the Village.

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### **2.0.2 Site Planning**

2.0.2.1 Preservation and improvement of the natural environment should be a primary consideration when planning to build.

### **2.0.3 Grading**

2.0.3.1 Final grade contours must cause minimum disturbance to trees and existing land contours and drainage patterns.

### **2.0.4 Drainage/Drainage Ditches and Culverts**

2.0.4.1 Changes in grade or conditions that affect drainage must not contribute to soil erosion, impede drainage, or cause drainage onto adjacent properties or roads.

2.0.4.2 No surface water shall drain directly or indirectly into the sanitary system.

2.0.4.3 All down spouts, sump pumps, surface drains and culverts must drain or pump to daylight. Water drainage shall not be directed to drain or be concentrated on an adjoining lot or roadway.

2.0.4.4 If the lot has drainage ditch along the road in front of the house, the following procedure must be followed:

2.0.4.4.1 The ditch cannot be completely filled in. It must remain open to catch storm water for natural drainage. The owner may apply for approval from the Trustees to install an accepted culvert to replace the ditch. They must provide at least a five (5) foot opening at each lot line. The opening must be as deep as the culvert bottom and have approved erosion protection such as gabion or riprap rock with approved engineering fabric under it. Approvals will be on a case by case basis and will not set a president.

2.0.4.4.2 The Owner will be required to place a culvert under the driveway. Minimum culvert size shall be determined and approved in writing by the Trustees or agent in their employ.

### **2.0.5 Slopes**

2.0.5.1 No structure, planting, or other material shall interfere with established slope ratios, contribute to erosion, sliding problems, or change the water flow through drainage channels. It is the Owner's responsibility to maintain slope-control areas. No slope may be altered to a ratio greater than 3 to 1.

### **2.0.6 Erosion**

2.0.6.1 Changes in grade or other conditions during construction, which will affect drainage, must be designed so as to not cause soil erosion, impede drainage, nor cause excessive drainage onto adjacent properties. Within 8 hours after a foundation has been dug, an erosion barrier must be constructed.

2.0.6.2 The barrier may be constructed of straw bales, which are to be staked into the ground, or constructed of a silt fabric fencing.

2.0.6.3 If the fabric fencing method is used, the fabric fencing must be staked in properly, and dirt must be mounded up on the side facing the water runoff in order that the fencing properly contains erosion when it rains.

2.0.6.4 If a proper erosion barrier is not installed in the time period listed, Incline Village will have the erosion barrier erected and such cost will be assessed to the property Owner.



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- 2.0.6.5 All erosion barriers must be monitored to ensure that they hold back any erosion. If a representative of Incline Village determines that the erosion barrier is not properly installed, or not properly holding back the erosion, the property Owner/General contractor will be notified of said violation. The correction must be made to the erosion barrier within 24 hours or the Trustees will have the erosion barrier erected and such cost will be assessed to the property Owner.
- 2.0.6.6 If the Trustees have to repair or replace the erosion barrier, such cost will be assessed to the property Owner.

### **2.1 Trees**

- 2.1.1 Trees must be preserved whenever possible. For that reason excess material from the excavation can not be piled at the base of trees on the lot as it will kill the trees.
- 2.1.2 No tree five (5) inches in diameter or more (measured two (2) feet above ground level) shall be removed without Trustees issuing a Tree Removal Permit. Trees that are removed must have their stumps cleared to ground level.
- 2.1.3 Trees should be protected from damage by wells or walls in case of extreme grade change. Wells should be half the diameter of the tree drip-line and the natural grade should be maintained at the base.
- 2.1.4 Downed trees, all branches and other tree refuse must be removed from the property within 30 days after felling.

### **2.2 Retaining Walls**

- 2.2.1 Retaining walls may be used to preserve trees, improve drainage patterns and define areas.
- 2.2.2 Walls should be kept as low as possible.
- 2.2.3 Use of indigenous rock or Versilok in combination with appropriate landscaping is encouraged. All other materials must be approved by the Trustees. If concrete is used, a decorative facing must be applied, such as stone, brick or siding. Stucco is not permitted.
- 2.2.4 A drawing shall be submitted to the Incline Village Office showing location on the lot, dimensions and materials to be used.
- 2.2.5 Written approval from the Trustees must be obtained before construction can begin.

### **2.3 Lawns – New Construction**

- 2.3.1 Final grading and a lawn shall be started with seed or sod within five (5) months of the construction commencement date.

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### **3.0 Shoreline Stabilization (Main Lake)**

- 3.0.1 Shoreline contours of the lakes may not be changed.
- 3.0.2 Filling in behind a tie wall shall not increase lot size.
- 3.0.3 Gabion walls, and riprap backed by an approved engineering fabric are acceptable stabilization methods. Concrete shore walls are not approved.
- 3.0.4 A drawing should be submitted to the Trustees for approval showing location on the lot, size, and materials used if a wall is to be constructed.
- 3.0.5 Because of their critical impact on the lake, these structures should be professionally designed, reviewed and approved by the Trustees.
- 3.0.6 Minimum requirements for stabilization is application of crushed stone of at least 3-inch size applied to at least three feet of width all along the waters edge, except where the existence of natural rock formations prevent erosion of the shoreline.

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### 4.0 Building Design – General

- 4.0.1 The basic guideline should be the I.C.C. International Residential Code (formerly BOCA code) or the current code accepted by the county, state or federal authority.
- 4.0.2 All homes in Incline Village should be designed to provide a pleasing visual appearance. Consideration should be given to the architectural character of existing houses in the neighborhood.
- 4.0.3 Incline Village is a community of custom-built homes. Exterior elevations should be unique within the village. Identical exterior elevations should be avoided.
- 4.0.4 Dwellings should form or present a good frontage on the street on which they are located, as shown on the recorded plat. Dwellings located on corner lots should present good frontage on both streets.
- 4.0.5 The style of the front elevation should be carried out on the side and rear elevations.

### 4.1 Building Location

- 4.1.1 The Trustees or agent of their employ will review each plan for the building in relation to the specific characteristics of the subject lot and its surroundings and the location of the building will be part of this consideration.
- 4.1.2 No part of any Construction/Building shall be located nearer than thirty (30) feet from any road nor any nearer than ten (10) feet to a side or rear property line without written approval of the Trustees.
- 4.1.3 Building into the lot easement or another lot is not allowed unless the easement between said lots is vacated in writing by the Trustees. It is the responsibility of the lot Owner to obtain approval to vacate by the electric company and the water company. Easements between lots of different owners will not be vacated.
- 4.1.4 For lots abutting a lake, homes may not be located so as to obstruct the view of the lake for adjoining lots, in the opinion of the Trustees.

### 4.2 Size and Projection Requirement

- 4.2.1 The ground (main) floor of a Single-Family Residence of each lot must not be less than one thousand two hundred (1,200) square feet, per the Indentures.
- 4.2.2 In the case of all structures noted, square footage requirements are exclusive of all open or screened in porches and garages.
- 4.2.3 No structure on any lot shall be more than two stories in height (not including possible attic rooms).

### 4.3 Window Projections

- 4.3.1 Bay, bow, dormer and other projecting windows shall not project into the ten (10) foot or thirty (30) foot setback requirement line.

### 4.4 Porch/Deck Projections

- 4.4.1 Unenclosed porches, covered porches, balconies and decks may project beyond the rear foundation line but shall not extend into the ten (10) foot side or thirty (30) foot front setback line.

### 4.5 Exterior Building Design

- 4.5.1 The exterior walls of all structures on any lot shall be brick, stucco, vinyl, steel or aluminum siding, stone, wood shingles, wood siding, wood paneling, glass, block or

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any combination thereof. No other materials shall be used as exterior walls of any structure without the written permission of the Trustees. Exterior walls should be maintained so that accumulations of algae, dirt and discoloration are eliminated.

- 4.5.2 Siding (vinyl, brick, stone, wood etc.) should extend to within eight (8) inches of the finished grade in order to minimize the amount of exposed concrete.
- 4.5.3 Buildings constructed of natural wood siding, paneling or shingles should be maintained to preserve the color and beauty of the wood by power washing and staining/sealing. The recommended time frame is every three (3) years.
- 4.5.4 Cornices, spouting, chimneys, brackets, pilaster, grillwork, trellises, and other ornamental projections should not project a distance more than two (2) feet from the vertical roofline and shall not project into the ten (10) foot or thirty (30) foot setback lines.
- 4.5.5 No structure shall be permitted to stand with its exterior in an unfinished condition for longer than five (5) months after commencement of construction, including the seeding or sodding of the yard.
- 4.5.6 In the event of fire, windstorm or other damage, no building shall be permitted to remain in a damaged condition longer than ninety (90) days.

### 4.7 Chimney Flues

- 4.7.1 Metal flues and prefab metal chimneys should not be exposed and should be enclosed with material compatible with the rest of the house.
- 4.7.2 The metal flue and cap should not extend more than 24" above the chimney chase.
- 4.7.3 Chimney chases should be compatible with the rest of the house. The I.C.C. International Residential Code or the current code accepted by the county, state or federal authority shall prevail.

### 4.8 Roofs

- 4.8.1 The pitch of the roof should be a minimum 6/12 pitch and consistent with style of the house and in proportion with adjoining homes.
- 4.8.2 Roof vents and flashing should be painted to match the roof or trim, whichever lessens their visual impact. Vent pipes, flues, attic ventilators, etc., should be located on the least visible side of the roof below the ridgeline.

### 4.9.0 Windows/Doors and Propane Tanks

- 4.9.1 All windows, doors and garage doors should be of vinyl, steel, fiberglass, anodized aluminum, vinyl clad, or wood and should be painted, enameled or stained with an approved color to blend with or complement the exterior siding and color.
- 4.9.2 Window sizes must **meet local fire codes**. Wright City Fire Protection District will inspect the building for egress windows.
- 4.9.3 Propane Tanks - Liquid propane storage tanks should be buried underground if the capacity is greater than 120 gallons.

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### **5.0 Other Construction Projects: Fences, Privacy Screens, Decks, Docks etc.**

- 5.0.1 All construction projects must comply with the rest of this document.
- 5.0.2 An IV Construction Permit must be issued including a Construction Deposit, before any construction begins. Exceptions are listed below for the type of construction undertaken.
  - 5.0.2.1 A list of the materials to be used and a picture of the type of project (if possible, from a brochure or other source).
  - 5.0.2.2 Clearly indicate the dimensions and height of the project.
- 5.0.3 No structures are permitted without an existing Single-family residence on the lot.
- 5.0.4 No temporary buildings, trailers or tents may be constructed, used or maintained on any lot in the subdivision
- 5.0.5 No person may dwell in or occupy any garage, out-building or semi-finished structure.

### **5.1 Fences - Including Hedges and Tree-Lines**

- 5.1.1 Plans for fencing must be presented to the Incline Village Office for approval and issuance of a Permit, prior to the installation of any fence.
- 5.1.2 All above ground fencing must be maintenance free such as vinyl or anodized iron and approved fences shall be of post and rail construction with balusters.
- 5.1.3 Fence top rails and or post may not exceed 48" in height and may not be of a type that blocks the view of the land such as privacy fences or solid panel fences.
- 5.1.4 No wood fencing of any type is allowed.
- 5.1.5 No chain link or vinyl covered chain link fencing or any type of similar fence is allowed.
- 5.1.6 Notice to adjoining lot owners is required and a staked lot survey must be completed before installation can begin.
- 5.1.7 No additions of any type to any fence shall be added after the submitted plans are approved. Such additions shall warrant corrective action for removal by the Trustees. The cost of this correction will be assessed to the lot Owner.
- 5.1.8 Under ground low voltage animal fencing is allowed and shall be installed per the manufacturer and such fencing shall be kept in good repair as not to allow any animal to wander from the Owner's yard.

### **5.2 Privacy Screening – Including Hedges and Tree-Lines**

- 5.2.1 Privacy Screening is permitted only with Trustees written approval of submitted plans, design and materials.
- 5.2.2 Sight lines to common properties from the neighboring lots should not be substantially changed.
- 5.2.3 Screening should be no more than six (6) feet in height and no section of screening should be more than eight (8) feet in length. Total length should not exceed sixteen (16) feet. The area around the screening should be softened with landscaping.
- 5.2.4 Screening should be made of maintenance free material and is to be compatible in color and design of the home. Screening on or under a deck should be of the same material, color and/or stain as the deck and must be maintained in compliance with the Indentures.
- 5.2.5 Standard lattice panels are not recommended.

### **5.3 Pet Enclosures**

- 5.3.1 Plans for pet enclosures must be presented to the Incline Village Office for approval

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and issuance of a Permit, prior to the installation of any enclosure.

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- 5.3.2 Pet houses should be compatible with the property Owner's house in color and material, and not less than 10' from adjoining back or side property lines. They are to be placed so as not to be a nuisance, visually or otherwise to neighboring properties. Chain link type fencing is not recommended.
- 5.3.3 A dog run or enclosure should be constructed as an extension of the home, rather than as a separate structure.
- 5.3.4 Enclosures should be located so as not to be a nuisance, visually or otherwise to the neighbors. The enclosure is not to extend into the 10' or 30' setback line.
- 5.3.5 Materials used to construct a run should be compatible with the exterior finish and the design of the home.
- 5.3.6 A minimum 3" concrete slab should be used as the base or flooring of the enclosure.
- 5.3.7 Sight lines to common properties from the neighboring lots should not be substantially changed, or obstructed.
- 5.3.8 Supplemental landscaping should be planted to soften and enhance any enclosure.

### **5.4 Swimming Pools (Other than Community Center Pool)**

- 5.4.1 An Incline Village Construction Permit is required before any construction is begun.
- 5.4.2 All pools shall be in-ground and must meet all safety standards as set forth by the state of Missouri and the current IRC building code to insure safety.
- 5.4.3 Pool designs must take into account the Owner's lot and view of joining property owners so as to complement and insure all property values.
- 5.4.4 The lot Owner will have a five (5) month time period to complete the project after the construction commences.
- 5.4.5 Completion shall include all related work such as safety fencing, concrete patios and walkways, landscaping, sod and or seeding of disturbed areas, the removal of trash or construction debris.
- 5.4.6 Changes in design or pool plans, after approval is granted, must also be approved by the Trustees before such changes can be constructed.
- 5.4.7 Unapproved changes shall warrant corrective action by the Trustees.
- 5.4.8 To provide noise abatement swimming pool filters/pumps must be enclosed.

### **5.5 Pavilions and Gazebos**

- 5.5.1 Pavilions and Gazebos (Pav) are permitted only on lots with an existing single family residence and the issuance of an IV Permit. Plans, design and materials are to be submitted before construction can begin.

### **5.6 Storage Sheds**

- 5.6.1 Standard prefab metal storage sheds are not permitted; as they are considered temporary buildings, and nuisances.
- 5.6.2 An IV Construction Permit is required before construction can begin.
- 5.6.3 Sheds should be located at the rear of the house.
- 5.6.4 Sheds should be attached to the house if possible, but in no circumstance should a shed extend into the 10' or 30' setback lines.
- 5.6.5 A shed must be anchored to a four inch concrete pad and built of the same type of materials and color as the house.

### **5.7 Decks**

- 5.7.1 An IV Construction Permit is required before construction can begin.
- 5.7.2 All docks, decks and balconies should meet the minimum requirements set by the current I.C.C. International Residential Code.

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### 5.8 Concrete Patios

- 5.8.1 Concrete patios may be constructed after obtaining an IV Construction Permit.
  - 5.8.1.1 Concrete patios may be built on the side or back of a Single Family Residence after obtaining an IV Construction Permit.
  - 5.8.1.2 Concrete Patios may be installed within two (2) feet of the property line with the understanding that if a utility needs to excavate in the easement and has to take up the patio, the Owner will be responsible to replace the patio.

### 5.9 Boat Docks

- 5.9.1 A Boat Dock may be placed after an IV Construction Permit is issued.
- 5.9.2 No structures or other improvements shall be made on or to any common area, including any body of water, other than such structures or improvements which are made by the Trustees for the benefit of all lot owners. Except that, the Owner of each lot which abuts any body of water, may construct one boat dock on such body of water, provided that, said boat dock extends from said lot and is first approved in writing by the Trustees.
- 5.9.3 The lakes and all property beneath the lakes, with the exception of parts of the Maple Leaf Lake, are owned by the Board of Trustees. Therefore, any dock placed upon lakes owned by the Board of Trustees requires their written approval of lot Owner's plans and an approved Incline Village Construction Permit prior to construction as specified by Article V, Section E of the Indentures. Written BOT approval is also required to alter in any way a dock previously approved to be on one of the lakes in order to assure that these rules are followed.
- 5.9.4 Only lot owners who own lots platted into Incline Village and that lot abuts the lake may place a dock on the lake in the location of their lot under the conditions specified.
- 5.9.5 The application for a Permit must include a drawing to scale of the lot owned by the applicant, the dimensions of the proposed dock, the distance of the most outward portion of the dock from the shore line, the non-degradable flotation material to be used (Styrofoam and barrels are not permitted), the construction materials to be used and the proposed placement of the dock with respect to the lot corners at the lake, extended onto the lake. The extension is to be considered as an imaginary line projected onto the lake from the lakeside lot corner stakes at approximately right angles to the shore, with a ten (10) foot easement on either side, the final judgment of which is made exclusively by the Trustees.
- 5.9.6 The dock, walkway, cables, stakes and all affixed portions of the dock may not extend beyond the deeded property lines or the extension of the lines onto the lake as described above in number 5.9.5.
- 5.9.7 With respect to irregularly shaped lakeside lots, the Board of Trustees has the right to further restrict and/or define the size, shape and placement of a dock, so as not to interfere with the rights and the ability of an adjoining lot(s) to also place a dock on the lake.
- 5.9.8 No portion of a dock may extend more than 40 feet from the shoreline.
- 5.9.9 Dock construction and/or improvements must be completed within 5 months from the start of construction.
- 5.9.10 If the dock has electrical service it must be protected by a GFCI circuit. The Incline Village Trustees must receive a copy of the Wright City Fire Department test results that the dock's electrical circuits have Passed, before the dock may be used.



## Inline Village Construction Guidelines

5.9.11 A dock must be maintained in good repair and may be removed from the lake by the Board of Trustees if, in its judgment, it is not maintained.

## Inline Village Construction Guidelines

### 6.0 Design Variances

- 6.0.1 Design Variance requests must be submitted to the Incline Village office along with a written description of the requested variance and the reasons or problem and the hardship involved.
- 6.0.2 A meeting with the Trustees or agent in their employ will be scheduled if required.
- 6.0.3 The Trustees will evaluate variances on individual merit and case-by-case basis with approval or a denial of the request in writing.
- 6.0.4 Only the Trustees can approve or disapprove a variance request. An Approval sets no precedent for future like requests.

### 7.0 Use Restrictions

- 7.0.1 Use restrictions specified in the Indentures of Incline Village.
- 7.0.2 All lots shall be used for single family residential and/or recreational purposes.
- 7.0.3 No temporary buildings, trailers or tents may be constructed, used or maintained on any lot in the subdivision.
- 7.0.4 No person may dwell in or occupy any garage, out-building or semi-finished structure.
- 7.0.5 No mobile homes or trailers shall be maintained as structures or residences on any lot in the subdivision.
- 7.0.6 No lot shall be re-subdivided in any manner and no more than one single-family residence shall be constructed on any one lot.
- 7.0.7 No person may use any lot or structure located in the subdivision for any purpose prohibited by law or ordinance, or for the commission or maintenance of any nuisance.
- 7.0.8 No pigeons, poultry, cattle, hogs, horses, rabbits, or other such animals may be kept in or on any part of any lot, other than in common areas provided for such purposes, provided, however, dogs, cats or other household pets may be kept for all purposes other than breeding,
- 7.0.9 No power or telephone distribution or service connection lines may, be erected or maintained above the surface of the ground on any of the lots in the subdivision without the permission in writing of the trustees.
- 7.0.10 No oil drillings, oil development operations, oil refining, quarrying or mining operations of any kind shall be permitted on or in any lot, nor shall oil wells, tanks, tunnels, mineral excavations or shafts be permitted upon or in any lot. No derrick or any structure designed for use in boring oil and natural gas shall be erected, maintained or permitted on any lot.
- 7.0.11 No individual sewage treatment system shall be permitted on any lot.
- 7.0.12 All sanitary sewer lines in the subdivision shall connect with its central sewage disposal system provided in said subdivision. Water from down spouts or any surface water shall not be permitted to drain into the sanitary sewer system.

## Inline Village Construction Guidelines

### 8.0 Further Requirements and Guidelines After Construction Start

#### 8.0.1 Exterior Completion Date

The residence shall be completed on the exterior and have its final grade within five (5) months from the date construction commences.

#### 8.0.2 When the construction is complete, lot shall be sodded, or seeded and

covered with straw within 5 months of construction commencement date.

### 8.1 Boring and Trenching

#### 8.1.1 Boring and Trenching Roads

8.1.1.1 A Road Boring and Trenching Permit must be submitted, and approved before any boring or trenching begins. Prior to any boring or trenching, the Trustees must receive 48 hours advance notice of such work, so that a representative from Incline Village can be on-site at the time of the work.

8.1.1.2 Boring under a road is the required method of running utility lines for a utility hookup. Trenching across a road in Incline Village will not be allowed, unless it can be demonstrated to the Trustees that trenching is the only alternative. Road boring or trenching must be performed between the hours of 8:00 AM and 5:00 PM, Monday through Friday. Boring and/or trenching will not be permitted on Saturdays, Sundays, or holidays. The trenching must be completed within one day.

8.1.1.3 When boring or trenching, the disturbed soil on the road shoulder opposite the building site must be returned to its pre-dug condition by mounding up the soil, compacting and allowing it to settle for 30 days. After this 30-day setting period has expired, the soil then must be leveled to a finish grade, seeded and strawed (or sod if the pre-existing condition warrants it).

8.1.1.4 If trenching across a road is necessary and approved, the pavement must first be saw cut to eliminate excessive pavement disturbance. When back filling, the entire trench must be back filled with 1" minus rock. The dirt or pavement that was taken from the trench cannot be put back into the trench. *NO EXCEPTIONS!* The rock is to be wetted and compacted using a vibrating compactor or approved substitute, water-jetted, leveled to the height of the existing pavement, and left to settle for 30 days. After this 30-day setting period has expired, 3" of compacted rock is to be removed and replaced with 3" of compacted asphalt, again using a vibrating compactor or approved substitute. The asphalt must be compacted to the level of the existing road and must be tapered at the shoulder edges. The Trustees are to be notified 48 hours before such work is to be done so that a representative can be on-site to inspect the work being done.

8.1.1.5 If any boring or trench site can not be completed on the day that the work commenced, all trenches and holes must be shored up and barricaded according to OSHA guidelines.

8.1.1.6 All boring and Trenching will be done by Missouri American Water Company or the current water utility provider or their assigned contractor.

8.1.1.7 Neither Boring or Trenching is allowed without the written approval of the Trustees.

## Inline Village Construction Guidelines

### **9.0 Building Site and Clean-up** – (Indenture Reference Article III, D & E, Article V, D)

- 9.0.1 Utility lines shall be located and marked prior to the start of any construction.
- 9.0.2 All construction traffic (licensed over 12,000 lb.) including but not limited to equipment, concrete and material-hauling trucks must use the designated rear gate.
- 9.0.3 The general contractor can obtain gate openers from the Incline Village Office. Cost is \$100.00 each, which will be refunded if the opener is returned in good working condition when construction is completed.
- 9.0.4 If, in the course of building a home or an addition to an existing home, it becomes necessary to infringe on an adjoining or neighboring lot, such infringement will not take place unless a Construction Easement Letter granting permission from that adjoining/neighborhood lot owner is filed with the Construction Application at the IV Office.

**9.1 A trash dumpster is required** when framing begins to maintain a clean building site, and prevent debris from blowing into other lots or common areas. A Porta-potty is required to be on-site for construction workers. Both must be (in place when framing begins) and removed at construction completion.

- 9.1.1 All scrap building materials must be put into the dumpster and any debris on the construction site or blown onto other lots must be picked up on a daily basis. If the construction site is not kept clean, the Owner/Builder will be notified by phone. The site must be cleaned up within 24 hours of notification, or the Trustees will implement corrective action. Fees and costs associated to these corrective actions become billable assessments against the Owner.
- 9.1.2 The Owner/Builder must keep the streets clean. Mud, dirt or rocks must be cleaned from the streets daily. If not the Owner will be notified by phone and given 24 hours to correct the problem. Fees and costs associated to these corrective actions become billable assessments against the Owner

### **10.0 Violation**

- 10.0.1 Enforcement of the Guidelines promulgated under the Indentures shall be by the Trustees.
- 10.0.2 Corrective action assessments or legal action will be applied to property Owner(s) who fail to respond to the Trustees' notice of violation within the specified time period.

### **11.0 Continues on next page**

**11.0 Signature and Authorization**

The above document has been made official as of the signing hereon.

TRUSTEE: \_\_\_\_\_ (Printed)

**\* Signatures on File in IV Office dated 10/25/2015**

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

TRUSTEE: \_\_\_\_\_ (Printed)

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

TRUSTEE: \_\_\_\_\_ (Printed)

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

**Any changes to the document above must only be made with addendums indicated on the following page approved by the Trustees.**

**Addendum Page:**

*Item #... Changed text.....*

TRUSTEE: \_\_\_\_\_ (Printed)

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

TRUSTEE: \_\_\_\_\_ (Printed)

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

TRUSTEE: \_\_\_\_\_ (Printed)

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

## Inline Village Construction Guidelines

Supplemental Forms are available in the Incline Village Office

The Following examples are **subject to change**:

- Incline Village Construction Contract
- Incline Village Construction Application
- Road Boring/Trenching Permit Application
- Rainwater Slope/Drainage Survey
- Incline Village Construction Easement Letter
- Incline Village Lake Rules
- Incline Village General Rules