

ACC Application Review Criteria for Sport Equipment & Play Structures

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Introduction

These policies are intended to take a balanced approach to protecting neighboring properties and accommodating families' desires to provide play and exercise opportunities at home. Because each lot in The Lakes is different in terms of its shape and orientation to lakes, creeks and neighboring properties, uniform requirements are not possible, and the ACC will evaluate each application in a manner that reflects these overarching criteria .

General Requirements Applicable to All Play Structures and Sports Equipment

- *Approval Process* - When ACC approval is required, an application must be submitted to, and approved by, the ACC prior to installation. The ACC approval process commences when an application that provides all required information has been submitted to the ACC at ACC@thelakesmi.com. Generally, the ACC will want to arrange site visits to view the proposed location of play equipment .
- *Easements and Planting Restrictions* - Easement setbacks must be met even if an application is not required. For lots that include the Conservancy Easement, the easement is 20 feet from the back property line (as identified on The Lakes Plats) . The CC&Rs identify a 10-foot easement along lakeshores and creek sides, with a 20-foot restriction on planting vegetation that could be expected to exceed 4 feet in height, unless such vegetation is approved by the ACC.
- *Location Details* - Each application must specifically identify the proposed permanent location of the play equipment, identifying the location with respect to lot lines, streets and lake or creek shores.
- *Materials* - Dimensions, color and manufacturer's specifications are required.
- *Applications* - Relevant policies and application forms are available on The Lakes website (www.thelakesmi.com) under the ACC tab.
- *Limited Approval* - ACC approvals are specific to the location, equipment, structure dimensions and other details described in the application, screening, and any approval conditions. A new application is required if the homeowner wishes to move the structure/equipment to a different location, wishes to install new equipment, or amend any condition placed on approval.

Basketball Hoops

Both portable and permanently installed basketball hoops require application and ACC approval.

- *Location* - Basketball hoops generally will be allowed in the front yard, while approval of side or backyard hoops will depend on the proposed location. Basketball hoops mounted on the exterior of a dwelling or located on a street or cul-de-sac are prohibited.
- *Color* - Basketball backboard colors must be white, gray, black, clear, or other inconspicuous colors in character with the neighborhood.

Play Structures

Play structures include, but are not limited to, slides, swings and swing sets, zip lines, playhouses, jungle gyms, play forts, bounce houses, skateboard ramps, and climbing structures.

- *Structures That Require Approval* -All play structures that are 6 feet or taller must be approved by the ACC. Smaller structures do not require approval but are not allowed in front yards and must comply with easement setbacks (see "General Requirements") .
- *Size Limitation* - Play equipment cannot be greater than 10 feet in height, as measured from the natural grade of the space on which it is erected. The footprint is limited to no more than 200 square feet.
- *Location* - In addition to easement and planting restrictions, play structures must be located at a point in the back yard where the sightline of the equipment is minimized from view by adjacent neighbors, which may include the addition of approved screening. Depending on the lot configuration, a side yard may also be appropriate.
- *Materials* - Play structures must use natural materials and muted earth tone colors. Metal play equipment is prohibited. Wooden play structures must be left natural, stained, or painted to match the existing dwelling. Awnings must be in muted earth tone color shades. Solid roofing must be wood.

Trampolines

- *Trampolines That Require Approval* - Trampolines 6 feet or greater in diameter (or similar size) must be approved by the ACC. Mini trampolines or rebounders smaller than 6 feet in diameter and less than 1 foot in total height, including any padding or netting, do not require approval but must comply with easement setbacks (see "General Requirements").
- *Location:*
 - o *Lakefronts* - Trampolines that would border a lake must be in-ground and align with the yard grade.
 - o *Creekside* - Trampolines inside yards or backyards of lots bordering a creek must be located where screening is or will minimize sightline views from adjacent lots. See additional details under "Screening".
- *Locations other than lakefronts or creek side* - In addition to easement and planting restrictions, trampolines must be located at a point in the back yard where the sightline of the equipment is minimized from view by adjacent neighbors, which may include the addition of approved screening. Depending on the lot configuration, a side yard may also be appropriate.
- *Size Limitation*- Trampoline surface must not exceed 10 feet in diameter (round) or width and length (rectangle or oval) and the total structure, including any accessories, cannot be greater than 10 feet in height, as measured from the natural grade of the space on which it is erected.
- *Trampoline Accessories* - Trampoline accessories, including, but not limited to, poles, padded covers, netting, and basketball backboards must be muted shades of black, grey, or earth tones. In-ground trampolines located on lakefronts cannot include any accessories.
- *Use Time Limit* - Trampolines must not be used after 9 pm.

Sports Equipment

Sports equipment includes but is not limited to soccer goals, ball rebounders and backstops, golf practice nets, batting cages, tetherball, and sports courts. All equipment that is not permanently installed must be stored in a location that is not in sightline view of adjacent neighbors when not in use.

- *Equipment that Requires Approval* - All equipment that will be permanently installed must be approved by the ACC.
- *Size Limitation* - Play equipment cannot be greater than 10 feet in height, as measured from the natural grade of the space on which it is erected.
- *Location* - In addition to easement and planting restrictions, sports equipment must be located at a point in the back yard where the sightline of the equipment is minimized from view by adjacent

neighbors, which may include the addition of approved screening. Depending on the lot configuration, a side yard may also be appropriate. Permanent installation of sports equipment in front yards is not allowed with the exception of basketball hoops.

- *Materials* - Sports equipment fabric and netting must use muted earth tone color shades.

Screening

As a condition to approval, the ACC may require vegetative, fencing, or other screening (screening cannot be placed in the Conservation Easement). New screening that could be expected to exceed 4 feet in height and would be within 20 feet of a lakeshore or creek bank requires separate and specific ACC approval. The ACC will not approve new such screening except in highly unusual circumstances when steps can be taken to prevent potential negative impacts on the lake or creek rockery, lining, or aquatic health. If a homeowner wishes to rely on pre-existing screening, they are advised that the ACC will acknowledge the existence of the screening but will not approve it. In such cases, the homeowner will remain responsible for damage done by the screening to the lakes or creeks in accordance with The Lakes "Lakes Systems Damage Policy" which is posted on The Lakes' website - www.thelakesmi.com - under the Lakes CC&Rs and Bylaws tab. Screening cannot be trimmed to a height that would expose the play structure, trampoline, or sports equipment to views from adjacent lots.

Maintenance

All equipment and structures must be maintained in good working order, free of discoloration, damage, or deterioration. Basketball hoops must have an intact tear-free net, a backboard free from mildew and discoloration, and a pole free from rust and discoloration. Failure to maintain equipment to these standards will result in a request by the ACC that the equipment be repaired to a "like new" condition or removed from the property. Changes in the color, location, or screening of equipment are not allowed without prior approval of the ACC, except minor landscape maintenance to maintain the screening material.

This policy is intended to provide guidance to homeowners and does not in any way limit the ACC or Association's ability to take actions or condition approvals in a manner consistent with their authority under the Association's governing documents.