

Date: 10/6/20

Action

To: Board of Directors

From: Planning and Compliance Department

Re: Approval for a Revision to PC.3.2 First Floor Elevation for Lakefront Lots

Background

The ACC Committee and staff recommend the rule revision to remove the verbiage “the 100-year flood level per FEMA” to **PC.3.2 First Floor Elevation for Lakefront Lots**. As indicated below in **CC&R Section 7 Size and Placement of Residences and Structures**, the verbiage is not included in the CC&R’s; please see yellow highlighted area below:

Section 7 States

Each lot has a specified and dimensioned area, which limits the extent of the portion thereof upon which any improvement can be constructed without the express approval of the Committee. In this event, the following minimum dimensions shall govern for floor elevations on lakefront lots and for front, side and rear setbacks on all lots (except fences or walls where approved or required by the Committee):

Sub-Section

- (a) First floor elevations of 1397.5 feet M. S. L. on all lakefront lots;

Fiscal Impact

Fine: None – informational only

Recommendation

It is recommended that the Board of Directors approve the rule revision for PC.3.2 First Floor Elevation for Lakefront Lots, as attached.

Cheryl Mitchell

Senior Planning and Compliance Manager

ACC Rule Revision

Current Rule:

PC.3.2 First Floor Elevation for Lakefront Lots - *The lowest habitable floor on a Lakefront Lot shall be at or above 1397.5 feet mean sea level (msl), the 100-year flood level per FEMA.* The Committee may, in its sole discretion, approve non-habitable structures below 1397.5 msl upon condition that the owner execute a covenant and hold harmless agreement in favor of the Association.

Proposed Change (Redlined):

PC.3.2 First Floor Elevation for Lakefront Lots - *The lowest habitable floor on a Lakefront Lot shall be at or above 1397.5 feet mean sea level (msl),* ~~the 100-year flood level per FEMA. The Committee may, in its sole discretion, approve non-habitable structures below 1397.5 msl upon condition that the owner execute a covenant and hold harmless agreement in favor of the Association.~~

Proposed Change:

PC.3.2 First Floor Elevation for Lakefront Lots - *The lowest habitable floor on a Lakefront Lot shall be at or above 1397.5 feet mean sea level (msl).*

Fine: None. Informational only.

Justification: The 100-year flood level is not part of the CC&R (as shown in italics). The Committee does not approve CC&R violations. This rule states that they have the authority to do so.