



BLUE RIDGE PROPERTY OWNERS ASSOCIATION, INC.

LOT SITE MODIFICATION REGULATIONS

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INTRODUCTION TO THE BUILDING REGULATION CHANGES

BRS has evolved from a rustic rural lake site into a growing residential subdivision with recreational beaches, community boat ramps, multiple playgrounds, paved roads, electronic gates, and more. To keep pace with our evolving residential nature, the Building Regulations Committee has devoted several years to reworking and updating our construction regulations. The revised rules are designed to improve protections in many areas, such as roads, the environment, construction noise, enforcement, lake structures, temporary structures, fences, and more so that our community property values are enhanced. As BRS evolves, so must its rules; so new construction will follow the new rules. However, to respect a good faith reliance on previous rules, the Board will grandfather in projects that were officially approved in the past. -The goal of this revision is to balance community cooperation with individual freedom while protecting our great community.

Lot Site Modification Regulations

PREFACE

A copy of these regulations shall be given to each applicant for a Lot Site Modification permit. All applicants agree to abide by these regulations and procedures, and shall provide the General Manager current contact information (i.e., phone number(s), email and mailing address) where they may be reached for discussion of projects and for notification of violations. Failure of the applicant to receive the message of violation does not preclude the payment of any charges assessed in enforcing these regulations.

REFERENCES

- References to the GM shall mean the General Manager of BRPOA, Inc., or his or her designee.
- References to the member shall mean the BRPOA member/owner responsible for the lot containing the actual or proposed structure or construction site.
- References to SFDU shall mean a Single Family Dwelling Unit.
- References to TTF shall mean Temporary Toilet Facilities.
- References to BRS shall mean Blue Ridge Shores Subdivision.
- References to the Board shall mean the Board of Directors of Blue Ridge Property Owners Association, Inc.
- References to BRPOA shall mean Blue Ridge Property Owners Association, Inc.
- References to charges shall mean the monetary charges assessed for a violation of the regulations as permitted by Virginia Code Section 55-513.
- References to CO shall mean Certificate of Occupancy.
- References to the lake shall mean Lake Louisa, its creeks and tributaries.
- References to approval by the GM shall mean written approval.

SECTION 1. PURPOSE

- A. These rules and regulations shall be the minimum requirements for all properties (lots) located in BRS. It is the purpose of these regulations to provide rules that will guide each association member in the maintenance, upkeep and enhancement of their property; and at the same time to improve, promote and protect the beauty and value of all property within BRS, in coordination with the recorded restrictions of BRPOA, Inc.
- B. Nothing in these regulations shall be construed to conflict with the “recorded restrictions” and covenants of the Blue Ridge Shores Subdivision. It is not the intent of these regulations to usurp any county, state or federal requirements.
- C. The member is responsible for complying with all BRS regulations at all times. However, compliance with BRS regulations does not relieve the member from also complying with applicable county, state and federal rules. Inspection or lack of inspection of the member’s property by the GM does not relieve the member from full compliance, should violations of these rules be discovered at a later time.
- D. The GM is tasked with enforcing these regulations. Pursuant to that authority, where the GM has found a violation of a regulation or a material deviation from an approved project, then the GM may: (1) deny or revoke the BRPOA Lot Site Modification permit; (2) order the removal or relocation of any nonconforming structure on land or water; and/or (3) take other such enforcement action as the GM deems necessary. Additional enforcement action may include referring the member to the Compliance Committee for adjudication of the violation(s).
- E. Structures built in, on or over lake water (i.e., water structures) are not governed by the recorded covenant limitations that affect land structures or construction. However, such water construction and water structures are regulated herein where specifically included, and the same enforcement powers of the GM apply. [See also SECTION 8, Structures on Lake Louisa]

- F. These regulations apply to both new construction and such changes that modify the footprint of the SFDU, including construction in, on or over the waters of Lake Louisa, including but not limited to:
- Decks,
 - Docks/Piers,
 - Seawalls,
 - Garage [attached or unattached to the SFDU],
 - Shed/storage structure,
 - Stairway,
 - Outside swimming pool/hot tub,
 - Temporary toilet facility,
 - Areas of ground clearing 200 sq. ft. or larger
 - Fences

SECTION 2. LOT SITE MODIFICATION PERMITS

A. Before the construction, modification or placement of certain structures or construction material on any lot, an application for a BRPOA Lot Site Modification permit must be approved by the GM. As a prerequisite to the issuance of said permit, a plat of the survey by a Virginia licensed surveyor shall be required for all permanent new SFDU construction (including construction in, on or over lake water) requiring a BRPOA Lot Site Modification Permit. All such surveys shall contain the footprint of all existing structures (permanent and temporary) at the time of the survey, plus the footprint of the proposed construction, and all relevant property lines. A separate permit may also be required by the Louisa County Building Department.

- B. A separate BRPOA Lot Site Modification permit shall be required for environmental and erosion control before removal or displacement of any earthwork or spoil dirt involving:
- culverts,
 - driveways,
 - parking areas,
 - walkways.

[See SECTION 5, Erosion Control and SECTION 7, Temporary Toilet

Facilities, for details]

- C. Changes to the SFDU and/or the water area adjacent to it that do not require a BRPOA Lot Site Modification Application, may require a Louisa County building permit. The applicant should contact the Louisa County Building Department to verify whether or not the intended changes will require a county, state or other permit.
- D. A BRPOA Lot Site Modification permit application, accompanied by the appropriate fee and documentation, is required for construction, modification, or placement of a:
- SFDU [both new and remodeled],
 - Dock/Pier,
 - Deck,
 - Seawall,
 - Garage [attached or unattached to the SFDU],
 - Shed/storage structure,
 - Outside stairway and/or deck,
 - Outside swimming pool/hot tub,
 - Temporary toilet facility,
 - Fence,
 - Areas of ground clearing 200 sq. ft. or larger,
 - Outside furnace (must be screened from public view)
 - Any other structures, regardless of size or intended use, except those structures listed as exempt.
- E. No BRPOA Lot Site Modification permit shall be required for the construction, modification or placement of:
- oil tanks,
 - propane tanks,
 - air conditioning/heat pump outside units;
 - trash container holders

However, the placement of these structures shall comply with the recorded restrictions, setback lines, and shall be shown on the survey plat. Trash container holders located within the 20 foot front setback area do not require a Lot Site Modification permit, but do require the specific approval of the GM.

- F. A copy of the building plans and specifications shall accompany the BRPOA Lot Site Modification permit application, along with the appropriate fee, when submitted to the GM.
- G. A BRPOA Lot Site Modification permit expires one calendar year after issue. If construction is not completed within that time, the member may apply to the GM for an additional one year extension and pay a fee of 50% of the original permit fee. After this, no further extension shall be granted on the old permit, and instead a new BRPOA Lot Site Modification permit shall be required at full fee for further work.

SECTION 3. BUILDING REGULATIONS

- A. Only one SFDU shall be built on a lot; or one SFDU shall be built on one of a group of contiguous lots where more than one lot is needed to meet the setback requirements. A survey of the outer boundaries of the contiguous lots must be completed showing the footprints of all current and proposed structures. The road closest to the front of the SFDU shall have a twenty [20] foot setback line from the BRS right-of-way (front property line) toward the SFDU.
- B. No structure shall be occupied over night before Louisa County has issued a Certificate of Occupancy [CO]. A copy of the final Certificate of Occupancy shall be provided to the GM. Upon receipt of the CO, the GM, or his designee, may conduct an inspection of the site for compliance with BRS regulations. Also see SECTION 5, Erosion Control and SECTION 7, Temporary Toilet Facilities, for other requirements.
- C. No structure shall be built within eight [8] feet of the rear and side property line(s) nor within twenty [20] feet of the front street property line, nor extend to any BRS right-of-way. No SFDU shall be built closer than fifty [50] feet to the high water line of the lakefront adjoining the property. However, non-habitable areas such as decks and patios that are permanently attached to a SFDU may extend to within eight [8] feet of the lot line adjoining the lake. There is not setback line for seawalls, which may extend along the shore from property corner to property corner at the waterline.

- D. Every lot that lies contiguous to Lake Louisa shall maintain a retaining wall or riprap material approved by the GM. The initial construction of said wall and/or riprap shall be done concurrent with the clearing of any land on the lot for any purpose, and shall be kept in good condition after construction. The rip rap or sea wall shall extend the entire length of the property waterline or as approved by the General Manager.
- E. The maximum height of any structure in BRS shall be two [2] stories, excluding the basement, provided that a minimum of 20% of the basement height is below the finished grade of the surrounding property.
- F. No more than one [1] additional storage building (shed, garage, etc.) may be constructed on any SFDU lot or contiguous lots owned by the same member. This one additional storage building may also be placed on a lot contiguous (adjacent) to the SFDU lot, where the same member owns both. Multiple structures may not be connected by walkways in an attempt to evade this limitation, by improperly classifying them as one structure. To be classified as one structure, any connected structures must have contiguous access and a single roofline. No additional building, shed, garage or storage structure shall be built without the concurrent or previous construction of a SFDU on the same lot, or an adjacent lot owned by the same member.
- G. In addition to the single storage building allowed on each SFDU lot, a member may also place one [1] each of the following:
- a greenhouse,
 - a playground set/equipment,
 - a play house,
 - a dog house or dog kennel,
 - an ornamental lighthouse,
 - a gazebo,
 - a pergola,
 - a Tiki bar,
 - an above ground pool,
 - **a framed wood carport; no larger than 20 feet X20 feet**

Provided that the temporary, non-storage, structures meet all setback requirements and be constructed as follows:

- Greenhouse shall be no larger than 10 feet x 10 feet and not exceed a height of 8feet,
- Playground set/equipment and/or playhouse shall not have a building structure [house] larger than 6 feet x 6 feet and not exceed a height of 8 feet,
- Dog kennel shall be no larger than 10 feet x 20 feet and not exceed a height of 6 feet,
- Ornamental lighthouse shall not exceed a height of 10 feet,
- Gazebo, pergola and/or Tiki bar shall be no larger than 12 feet x 15 feet and not exceed a height of 8 feet.

H. Metal carports and all metal storage sheds are not permitted.

I. Private boat launch ramps are not permitted. Boats are to be launched from the BRS community boat launch ramps. Small personal watercraft, canoes, or kayaks may be placed in the water from private property or docks, provided that no structure (i.e., private boat ramp) is installed to launch such craft from land.

J. Trash container holders shall shield the trash containers from public view from the BRS roadway; and conform to all setback requirements (i.e., no structure inside the 20 foot setback from the front property line. In special cases, the GM may consider granting a waiver and permitting a shielded container holder inside the front 20 foot setback line, but only in a location and manner approved by the GM. In no case shall any trash container holder be located on a BRS right-of-way or road surface.

K. No business or advertising sign shall be erected on any lot. With GM approval, a construction sign or board no larger than 2 ft. x 2 ft. [4 sq. ft.] may be erected to display only the lot number, address and applicable permits for the lot, and must be removed prior to occupying the SFDU.

L. Satellite dishes shall be placed entirely within the member's property, and must comply with all setback requirements. No more than two [2] dishes per SFDU are permitted, in a neutral or complimenting color, and a dish diameter not exceeding 40 inches.

M. No construction/contractor vehicle, machinery, trailer, etc., collectively referred to as "equipment," shall be parked or stored on the paved BRS roadway or common areas, except while actively engaged in loading or

unloading. All such equipment shall be kept entirely within the construction site. No such equipment may create objectionable noise, unless approved by the GM. Objectionable noise shall be determined as 60 decibels or more, measured at the property line of the work site, or as determined objectionable by the GM. On weekdays, no equipment shall operate before 7:00 a.m., or after 7:00 p.m. On weekends and all state holidays, no equipment shall operate before 9:00 a.m., or after 5:00 p.m.

N. Construction debris (i.e., scrap lumber, drywall, siding, roofing material, packaging, etc.) shall be containerized during construction and removed by final occupancy.

O. Fences are allowed, pursuant to the following requirements:

- Fences shall not be built on the property line, but instead placed entirely within the member's property.
- Rear fencing, behind the SFDU, shall not exceed 72 inches [6 feet] in height at any point, measured at the highest point of the fence to the ground. The rear fence shall not extend past the front of the SFDU.
- Front fencing may extend from the SFDU forward to the 20 ft. setback line; and shall not exceed 42 inches in height at any point, as measured at the highest point of the fence to the ground. No fence shall extend to the BRS right-of-way, nor come within the 20 foot setback area, measured from the front property line toward the SFDU.
- No fence shall be constructed of such material or in such a manner that it obstructs the view from one roadway to another, or creates a traffic hazard for the owner or the general public.
- All fences shall be designed and constructed of permanent materials suitable for a residential development as approved by the GM, and must be maintained in good condition.
- Deviation in construction, materials and/or placement of a fence from the GM approved project may result in an order to remove or relocate the nonconforming fence at the member's expense, and/or other action to obtain compliance.

- P. All materials used in the construction of a permitted structure shall be of solid and permanent materials. No structure shall have as its outside walls and roof, tarpaper, rolled brick siding or similar materials or metal exteriors except standing seam metal roofs with a life of at least twenty [20] years. All materials used in permitted construction shall have a manufacturer's warranty of at least twenty [20] years with standard maintenance. Wood exteriors shall be stained or painted with at least two coats of stain or paint. Cinder-block and like materials shall be painted or covered by a material with a manufacturers life expectancy of at least five [5] years and shall be kept in good repair both during and after construction.
- Q. All modular, manufactured, prefabricated or similar structure designated and intended for use as a SFDU shall be removed from any transportation device or transport chassis. These structures must meet all county, state and federal requirements.
- R. Neither filing an application for a BRPOA Lot Site Modification permit, nor approval by the GM, shall relieve the lot owner and/or builder of any construction, permit, health or sanitation regulation imposed by any county, state or federal agency.

SECTION 4. SEPTIC REQUIREMENTS

- A. Every SFDU shall have a sewage disposal system installed prior to or during the construction process. The disposal system shall be installed before any SFDU is occupied, and before any SFDU is issued an occupancy permit by the Louisa County Building Department and the Louisa County Department of Health, as applicable. A copy of said permit shall be delivered to the GM by the homeowner within ten [10] days of approval.
- B. No septic system drain field or other sewage disposal system shall be located closer than fifty (50) feet to the high water mark (300 feet above sea level) on Lake Louisa (measured horizontally from the 300 foot above sea level mark) or any active stream connected upstream of the dam.

SECTION 5. EROSION CONTROL

- A. These regulations and requirements shall not relieve the owner/builder of any requirements imposed by county, state or federal agencies. Prior approval of the GM shall apply to both new construction and remodeling of a SFDU and/or a structure in, on or over the water adjacent to it, including but not limited to:
- Deck[s],
 - Dock(s)/(Pier(s))
 - Seawall[s],
 - Garages [attached or unattached to the SFDU],
 - Shed/storage facility,
 - Outside stairway[s]/walkway[s],
 - In-ground swimming pool(s)/hot tub(s),
 - Areas of ground clearing 200 sq. ft. or larger (gardening activities are exempt).
 - Septic systems/drain fields.
- B. An erosion control plan shall be filed by the owner/builder and approved by the GM and Louisa County Building Department, and a copy is to be present at the work site. The owner must pay a \$1,000.00 cash bond to BRPOA to cover potential property and lake damage. The owner shall pay for any damage that exceeds the bond. The bond money will be refunded to the owner, without accrued interest, upon obtaining the Louisa County C.O., all equipment is removed from BRS property, and the GM has inspected the site and approved release of the bond.
- C. Erosion methods: All erosion control methods shall be kept in 100% working order during the entire construction cycle, and the owner/builder must establish adequate ground cover to prevent soil erosion after completion of any ground clearing. No site work shall be started or equipment stored on any lot before an approved site plan permit has been issued by Louisa County. Raw earth and spoil dirt must be prevented from eroding off the site with proper control methods. Two methods that are acceptable are straw bales and/or silt fencing. Berms are not acceptable as erosion control in the BRS subdivision.

- D. Straw bales: Straw bales shall be attached to the ground and placed overlapping side by side in such a manner as to prevent all erosion under, between, and around or through the bales.
- E. Silt fencing: Properly installed silt fencing is also acceptable and may be required in addition to straw bales. When silt fencing is used, it shall be installed so that silt does not flow under, around, or through the fencing. Only two-thirds of the fencing shall be upright and the remainder folded right to the ground toward the source of silt flow. Soil or stones shall be placed on that portion of the fencing that is laid on the ground to ensure a proper seal between the fencing and the ground.
- F. Grading: Both temporary and final grading must be such that no change or deviation from the natural drainage will occur. Final grades must fall away from all sides of the structure at a minimum rate of 6 inches in 10 feet. Flow of surface water may not be changed so as to adversely affect neighboring lots, roadways, common areas or Lake Louisa. After final grading of the site, effective erosion controls must be maintained until a deep rooted ground cover, suitable to the GM, has been established over all disturbed areas and such disturbed areas have been stabilized. Deep-rooted ground cover shall be maintained after final occupancy has been granted. Run off from house down spouts must be controlled. Water flow shall be directed away from the structure, but not onto neighboring property.
- G. Excavating: The following procedures shall be used when handling and/or stockpiling excavated earthwork and are intended to protect and preserve the wooded environment during and after construction. Construction activities must be confined within the marked outlined areas by use of orange paint or ribbons. Excavated material must be stockpiled within these zones. The GM may grant exceptions to this requirement. If no exception has been granted by the GM, then the excess excavated material must be removed from the work site within two [2] weeks of excavation. Trees to be saved which are in danger of being damaged by construction activities must be protected. Temporary piling of all earthwork and/or spoil around a tree shall be removed within ten [10] working days of the granting of a Certificate of Occupancy (CO) by the Louisa County Building Department. All uprooted tree stumps, logs, brush and the like, must be removed from the lot prior to the final

inspection of the GM. Logs left at the building site to be used as firewood shall be cut to a length not to exceed twenty four [24] inches and stacked neatly at or behind the rear building line. Any stocked dirt or similar material must be surrounded by erosion control materials to prevent run off.

- H. Culverts: Before the installation of a culvert(s), the GM shall inspect the site and explain to the owner/builder what is required to obtain approval. The installation and approval of the culvert(s) shall be approved before any site work, construction or ground clearing is begun. All culverts must be made of materials that are acceptable to the GM. They shall include, but not be limited to, galvanized steel, cast iron, cast reinforced concrete or schedule 80 PVC pipe. The GM shall determine the minimum inside pipe diameter based on topographical conditions. All culverts must be installed on a grade that will allow a free flow of water through them. All culverts shall be in line with the ditch line and on grade with the ditch line. Culverts shall not interfere with the property on either side of them and they may not extend past the property line on which they are installed. Culvert head walls shall not extend above the grade of the driveway. The owner must repair or replace any existing culvert(s) that is disturbed by construction, wear and tear, or other activity, to ensure proper drainage throughout the entire ditch line. If a ditch line is disturbed for any reason, the proper form and grade of the ditch line shall be re-established. Erosion control shall be maintained at all times.

- I. Driveways: Each lot or set of lots for which a SFDU has been approved must have a driveway of sufficient size to accommodate 2 cars entirely on the owner's property inside the street side lot line. Driveways shall not be dirt or grass, but shall be constructed of gravel, crushed stone, concrete, asphalt, or other suitable material(s) approved by the GM. When driveways are surfaced with gravel or crushed stone, the depth of the material must be maintained so as to provide an all-weather driving surface without tracking mud onto BRS roads. Gravel and crushed stone must be prevented from spilling onto BRS roads. The driveway shall be developed prior to beginning construction and maintained in a condition that allows access and egress to the construction site without tracking mud onto the BRS roads during and after construction.

SECTION 6. VEHICLE USE OF ROADS, DAM AND BRIDGE

- A. Nothing in these regulations shall be construed to limit the access and egress for the bona fide owner of property at BRS. Commercial or construction vehicles with a gross weight of over 10,000 lbs., must be registered with the GM. All vehicles with a gross weight in excess of 10,000 lbs. must be registered with the GM. The GM will provide a route to and from their destination that will not take them over the dam, emergency spillway roadway, or over the bridge at Hickory Creek. A violation of the road use regulations may be cause for the GM to ban access to that vehicle and company and/or operator from BRS roads.
- B. The owner must pay a \$2,000.00 cash bond to BRPOA to cover potential road damage. The owner shall pay for any damage that exceeds the bond. The bond money will be refunded to the owner, without accrued interest, when all equipment is removed from BRS property, and the GM has inspected the roadway and approved the release of the bond.
- C. Motor vehicles and motorized equipment used in construction, whether state licensed, (i.e., trucks, trailers, etc.), or not (i.e., backhoe, grader, etc.) must be kept within the property lines of the affected lot. Construction vehicles and equipment shall not be parked on any common area or BRS right-of-way when stored in BRS overnight, unless approved by the GM.

SECTION 7. TEMPORARY TOILET FACILITIES

- A. One [1] temporary toilet facility [TTF], , shall be installed at each new SFDU construction site. The TTF shall be installed inside the permitted construction site and within the lot property lines. No TTF shall be installed in any common area adjacent to the construction site. The location of the TTF shall be shown on the approved site plan. The door to the TTF shall face the center of the construction site. The TTF shall be removed from the construction site once new SFDU construction is completed.
- B. TTF may also be installed where there is an existing SFDU. The TTF shall be removed from the property within 30 days of its installation, unless and the GM grants extension. A separate permit shall be required for a TTF where there is an existing SFDU. A permit fee shall

accompany the permit application. The TTF shall be placed within the permitted address/lot property lines.

SECTION 8. STRUCTURES ON LAKE LOUISA

- A. Pier(s), Dock(s), Boathouse(s) and/or other structures placed in, on or over the water of Lake Louisa (i.e., water structures) beyond the shoreline shall be no more than forty (40) horizontal feet in total running along the lot shoreline for each SFDU; and shall extend no more than thirty-five (35) feet out into the water. (Example: maximum horizontal dock is 40 ft. along the shoreline, and maximum pier extending straight out into the lake is 35 ft.). These specifications may be modified by the GM, and for water structures placed in creek or tributary waters of the lake.
- B. Boathouses shall be no more than fifteen (15) feet in height and may have attached one small boat/water gear storage unit, also over the water, not to exceed 100 square feet in size. Should the boat/water gear storage unit be located on land, then it shall be subject to the land covenants that allow only one additional storage building.
- C. All water structures shall require a BRS Lot Site Modification permit and be constructed on the portion of the lot that creates the least amount of interference with the flow of traffic on the lake, creek or tributary.
- D. Approval of all water structures shall be at the discretion of the General Manager, and may also be subject to government agency regulations.
- E. Any water structure that creates a safety hazard, interferes with navigation, or that unduly restricts access to or use of any lake waterway, may be ordered removed or modified by the GM.

NOTHING ENUMERATED IN THESE REGULATIONS SHALL BE CONSTRUED TO SUPERCEED THE ORIGINAL RECORDED RESTRICTIONS BINDING ALL LOTS IN BLUE RIDGE SHORES.

BRS Fence Design and Material Guidelines

1. The purpose of these Guidelines are to provide the member and the General Manager with guidance on fencing design and materials that the Building Regulations Committee has determined to be inconsistent with the attractive residential development appearance of the Blue Ridge Shores subdivision.
2. Fencing shall conform to the BRS residential development and approved by the GM as to design, structure, materials, and placement entirely within the member's property, NOT on the property line.
3. Materials deemed to be inconsistent with a residential property development include but are not limited to:
 - Agricultural or livestock fencing or gates forward of the SFDU
 - Steel gates, planks or barriers designed for farm use
 - Hay (loose or in bales)
 - Barbed, razor or other wire designed to injure by sharp edges
 - Electrified wires above ground
 - Chicken wire or thin wire
 - Opaque (privacy) fencing forward of the SFDU (okay in the rear)
 - Torches
 - Cement, concrete or brick walls horizontally across the front of the SFDU (other than small landscaping pieces)
 - Tires, auto parts, farm implements, tractors, vehicles and/or other material not normally used in residential fence construction
 - Pinwheels, moving parts, banners, decorative flags, or other moving materials when permanently attached to the fence (temporary balloons, banners, flags or birthday type streamers are exempt)
 - Lights affixed to the fence or poles that are blinking, flashing, brightly colored, excessively bright or distracting
 - Large mirrored surfaces or light reflecting materials that distract
 - Brightly painted or colored materials that distract
 - Chain link (due to rusting) forward of the SFDU (okay in the rear)
 - Other such materials and designs as determined by the General Manager to be nonconforming

Fence plans should be submitted to the General manager in advance of

| purchase or installation to ensure compliance and likely GM approval.