

**RESOLUTION OF THE
TELLICO VILLAGE PROPERTY OWNERS ASSOCIATION, INC.
APPROVING A REVISED RESIDENTIAL CONSTRUCTION HANDBOOK AS
RECOMMENDED BY THE ARCHITECTURAL CONTROL COMMITTEE AND
APPROVING ALL RULES AND PROCEDURES CONTAINED THEREIN**

January 19, 2011

WHEREAS, the Tellico Village Property Owners Association, Inc. (the "TVPOA") and its members are governed by the Declaration of Covenants and Restrictions for Tellico Village (the "Declaration"), which restricts all property in Tellico Village and empowers the TVPOA to promulgate rules and regulations; and

WHEREAS, Article VIII, Section 1 of the Declaration states that the TVPOA "shall have all powers and duties set forth therefore in this Declaration, its Articles of Incorporation and By-Laws, applicable laws, statutes, ordinances and governmental rules and regulations, and all other lawful powers and duties deemed by its Board of Directors as advisable or necessary to carry out its functions"; and

WHEREAS, Article XI of the Declaration and its Protective Covenants also provide for the establishment and authority of an Architectural Control Committee (the "ACC"), which has the power to issue permits relative to construction related activity in Tellico Village and enforce the Protective Covenants of the Declaration, as well as "to adopt such rules, regulations and standards and to adopt such standard building or other codes (or any portion thereof), as it shall deem appropriate or necessary for the proper performance of its function and duties"; and

WHEREAS, the ACC has promulgated comprehensive rules since its inception to discharge its duties and responsibilities, which rules it codifies from time to time in a handbook commonly referred to as the "Blue Book" for matters concerning residential construction and related enforcement issues, the most recent issue of which was approved by the TVPOA Board of Directors on October 1, 2009; and

WHEREAS, the ACC has recently completed a comprehensive review of its Blue Book and revised and supplemented its rules, regulations and standards contained therein relative to residential construction activity in Tellico Village and other enforcement areas under its charge, and recently recommended a revised Blue Book for approval by the TVPOA Board of Directors; and

WHEREAS, the TVPOA Board of Directors has reviewed the revised Blue Book and desires to approve and adopt the same and to ratify the actions of the ACC in promulgating the handbook.

NOW, THEREFORE BE IT HEREBY RESOLVED BY THE BOARD OF DIRECTORS OF THE TELLICO VILLAGE PROPERTY OWNERS ASSOCIATION, AS FOLLOWS:

Section 1. That the restated Residential Construction Handbook containing the Rules, Regulations and Standards of the ACC recommended by the ACC, which is attached hereto as Exhibit A and hereafter referred to as the "Blue Book", is hereby approved and adopted by the TVPOA Board of Directors with an effective date of February 1, 2011.

Effective February1, 2011

Section 2. That the TVPOA Board of Directors hereby approves and ratifies the actions of the ACC in promulgating, approving and recommending the Blue Book and hereby specifically affirms that each of the ACC Rules, Regulations, or Standard contained therein, as well as all other rules, policies, procedures or other requirements expressed therein, are hereby adopted as rules and regulations of the TVPOA.

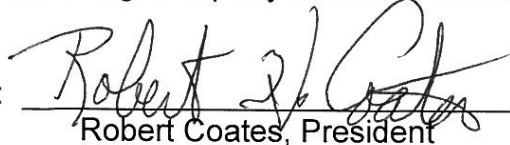
Section 3. To the extent any rule, regulation or standard in the Blue Book is outside the authority of the ACC, the TVPOA hereby expressly adopts that requirement as a general rule of the TVPOA and hereby delegates initial enforcement of the rule, regulation or standard to the ACC in accordance with the requirements of the Blue Book and the Declaration. The TVPOA and ACC hereby reserve the right to promulgate additional rules, regulations and standards to properly regulate, control and restrict activity or conduct not covered by the Blue Book.

Section 4. The TVPOA reserves the right to amend, rescind or waive the rules, regulations and standards contained in the Blue Book in the future when doing so is in the best interest of the TVPOA or Tellico Village. The delay or failure by the TVPOA or ACC to enforce in any one or more instances any rule, regulation or standard contained in the Blue Book shall not be construed as a waiver of the TVPOA's or the ACC's future ability or right to enforce the same.

Section 5. If any rule, regulation or standard contained in the Blue Book, or any part of any provision thereof, shall be invalid or unenforceable under applicable law, said rule, regulation or standard or the applicable part thereof shall be ineffective to the extent of such invalidity only, without in any way affecting the remaining rules, regulations or standards or parts thereof.

Section 6. That this Resolution shall take effect immediately upon passage, this the 19th day of January, 2011, and that the ACC Administrator, the ACC and the other applicable officers of the TVPOA be, and they hereby are, authorized to take any and all action necessary or convenient to promulgate and enforce the requirements of the Blue Book in accordance with its provisions for all permits issued and any matters or enforcement actions taken thereunder on or after February 1, 2011.

Tellico Village Property Owners Association, Inc.

By: 
Robert Coates, President

Attest:/Ken Ballien, Secretary

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FOREWORD

This revised handbook was adopted by the Board of Directors of the Tellico Village Property Owners Association, Inc. (the "POA" or "Association") on October 1, 2009 and contains the Rules, Regulations and Standards of the POA's Architectural Control Committee (the "ACC") for Tellico Village, Tennessee, as well as certain related general rules of the POA. This handbook is also intended as a property owners' guide for new construction of, or any exterior changes to, homes, structures or property in Tellico Village.

SECTION A of this handbook lists the different kinds of permits required in Tellico Village. **SECTION B** provides a general overview and suggestions for the new home construction process. **SECTION C** lists some additional things to consider during this planning process. **SECTION D** provides the Rules, Regulations and Standards of the ACC and various related rules of the POA that apply to (i) permit applications and govern all construction that takes place in Tellico Village (contained in Part I) and (ii) various post construction activities that affect the appearance and aesthetics of Tellico Village (contained in Part II). **SECTION E** contains the enforcement and appeals rules and regulations related to the construction and permitting process and other activities covered by the Rules, Regulations and Standards contained in this handbook, and **SECTION F** lists various permit fees that may be required to be paid for permits and other construction activity and includes a helpful checklist for permit applications in Loudon and Monroe Counties. Related application forms may be obtained at the ACC Office.

The **Declaration of Covenants and Restrictions for Tellico Village** (the "Declaration"), which restricts all property in Tellico Village, empowers the POA to promulgate rules and regulations and provides as follows:

ARTICLE VIII: Property Rights In Common Properties

Section 1. Association Powers and Duties. *The operating entity for the Common Properties within The Project shall be the Association. The Association shall have all powers and duties set forth therefore in this Declaration, its Articles of Incorporation and By-Laws, applicable laws, statutes, ordinances and governmental rules and regulations, and all other lawful powers and duties deemed by its Board of Directors as advisable or necessary to carry out its functions. Every Owner, however acquired, shall be bound by this Declaration, the Association Articles of Incorporation, By-Laws and Rules and Regulations, and the above set forth laws, statutes, ordinances and governmental rules and regulations.*

The Declaration also provides for the establishment and authority of the ACC as follows:

ARTICLE XI: Architectural Control Committee

Except as to original construction by the Developer, no building, fence, wall or other structure shall be commenced, erected or maintained upon the Project or the Shoreline Strip, nor shall any exterior addition, change or alteration be made thereto, until and unless the plans and specifications showing the nature, kind, shape, height, materials and location of the same shall have been submitted to and approved in writing as to harmony of external design, location in relation to surrounding structures and

topography and compliance with this Declaration and the Protective Covenants contained herein by the Architectural Control Committee of the Association. The Committee shall make such determinations by majority vote and the determination of the individual committee members shall be upon the exercise of the sole and absolute discretion of such member. Such Committee shall be composed of three (3) or more representatives appointed by the Board of Directors of the Association. In the event said Committee fails to approve or disapprove such design and location within forty-five (45) days after said plans and specifications have been properly submitted to it in accordance with reasonable rules and regulations which may be adopted thereby, approval will not be required and this provision will be deemed to have been fully complied with, except to the extent such construction is in violation of the Protective Covenants, Shoreline Strip Rules or Water Use Facilities Permit. The Architectural Control Committee shall have the right to set reasonable charges and fees within their discretion necessary to offset expenses incurred by them in connection with the performance of their duties hereunder and the failure to pay same shall be grounds for withholding approval hereunder. The Architectural Control Committee, through its members or duly authorized agents or employees, shall have the right, after reasonable notice to the owner, to enter upon any Lot, Living Unit or the Shoreline Strip area at reasonable hours for the purpose of the performance of its functions hereunder.

The Protective Covenants of the Declaration also provide in Section 2 as follows:

Architectural Control Committee: *When the Architectural Control Committee, hereinafter referred to as the ACC, is mentioned in these Protective Covenants, it shall mean the Architectural Control Committee of the Association as more particularly described in Article XI of the Declaration. Except as to original construction by the Developer, ACC permits shall be required for any construction activity within The Project as set forth in Article XI of the Declaration and within the Shoreline Strip as set forth in Article XVI of the Declaration. The ACC shall further have the authority, in connection with the issuance of such permits, to adopt such rules, regulations and standards and to adopt such standard building or other codes (or any portion thereof), as it shall deem appropriate or necessary for the proper performance of its function and duties. The Owner, contractor and builder will subject all permitted activities to such inspections as required by the ACC to determine compliance with such ACC permits, the Declaration, these Protective Covenants, the Shoreline Strip Rules and the Water Use Facilities Permit. In the event of any conflict between the provisions of the Declaration, these Protective Covenants and those of the ACC rules, regulations and standards, the same shall prevail in that order. In the event of any conflict between the provisions of the Shoreline Strip Rules and the Water Use Facilities Permit with the ACC rules, regulations and standards, the Shoreline Strip Rules and Water Use Facilities Permit shall prevail. All actions of the ACC shall be subject to review by the Board of Directors of the Association and appeals may be taken thereto under such terms and conditions as such Board of Directors may set from time to time.*

If you do not have a copy of the Declaration of Covenants and Restrictions for Tellico Village, including Exhibit I, Protective Covenants, you should obtain a copy and read it thoroughly. The Declaration and this handbook are available at the POA office and on the Tellico Village website. Blue Book: <http://tvpoa.net/tvpoa/Administration/BlueBook.pdf>
Declaration: http://tvpoa.net/tvpoa/Administration/declaration_of_covenants_and_res.shtml.

Foreword reviewed 12/15/10

SECTION A – REQUIRED PERMITS

After reviewing this handbook, you should contact the ACC Office early in the construction planning stages of your home or any later renovations. This meeting will provide you with an opportunity to ask questions, explain any circumstances peculiar to your project, and should help expedite the permitting process. The ACC Office will provide assistance and guidance in the preparation of your application and will present the application package to the ACC for formal review and approval consideration. Permit application forms are available from the ACC office.

The ACC usually meets on the *first* and *third* Thursdays of each month (check with the ACC office to confirm a particular meeting date as cancellations sometime occur). **The DEADLINE to submit a permit application package for review and approval consideration by the ACC at its next meeting is no later than noon on the Monday ten calendar days PRIOR to the meeting.**

Note: Building Code Inspections conducted by the jurisdiction having authority have additional requirements and fees. For contact numbers, please call the ACC Permit Office at 865/458-5408, extension 4117.

(1) NEW HOME CONSTRUCTION PERMIT

All new homes must be reviewed and approved by the ACC before any groundbreaking or tree removal (other than a Minor Lot Clearing Permit) can occur. Refer to Sections B and C for complete requirements.

(2) SHORELINE PERMIT

Only lots designated on the recorded plats as having shoreline privileges are eligible for submitting a shoreline permit application package. Tellico Village does not allow shoreline improvements other than riprap (or seawalls) before there is an approved home permit. The shoreline application package may be submitted at the same time as the new home permit application or afterward.

Permits must be obtained for all shoreline improvements below the 820' contour such as boat docks, lifts, potable water, electric, water intake for irrigation, geothermal systems, riprap, seawalls and dredging. After review and approval by the ACC, applications are forwarded to TVA and the Army Corps of Engineers for their approval before construction can begin.

ALL ACTIVITIES such as tree-cutting, underbrush clearing of vegetation, and landscaping below the 820' contour must have prior approval by TVA. After completion of a shoreline project, a permit is required for changes or additions to existing shoreline improvements other than maintenance [see Section B(6)].

(3) MISCELLANEOUS PERMIT

After a home is completed, a permit is required for all exterior changes to permitted structures or additions to the property, including, but not limited to, changing exterior colors, decks, porches, steps, dry-below systems, storage buildings, carports, garages, driveways, sidewalks, patios, retaining walls, solar energy systems, geothermal energy systems, children's play equipment, swimming pools, swimming pool buildings, fences, flag poles, antennas, landscaping structures, and all other similar type structures and any related temporary or permanent construction necessary or undertaken in connection thereto. Maintenance or replacement with the same color/type item does not require a permit [see Section D(1)].

(4) PERMIT CHANGE REQUEST

Once plans have been approved for a new home, shoreline project or miscellaneous project, any exterior changes (including location or elevation) must be submitted to the ACC and approved prior to changes being made. Contact the ACC office for fee schedule.

(5) PROPANE TANK PERMIT

A permit is required for all propane tanks, whether buried or above ground [see Section D(19)].

(6) IRRIGATION PERMIT

A permit is required for installation of an irrigation system using potable water or to dig a well. Annual inspections as required by law will be coordinated by the Public Works Dept. and charged to the homeowner [see Section D (21)]. Systems that draw water out of the lake require a shoreline permit [see Section B(6)].

(7) HOME OCCUPATION PERMIT

A permit is required to operate any kind of home occupation in residential areas [see Section D(38)].

(8) MINOR LOT CLEARING PERMIT

A no fee permit is required for minor clearing of brush and small trees on undeveloped lots [see Section D(28)].

(9) PERMIT FOR BULLDOZING DEAD PINES

A no fee permit is required for removal of dead pine trees by bulldozer or similar manner [see Section D(28)].

(10) TREE REMOVAL PERMIT

A no fee permit is required to remove trees on a lot where there is an existing home. [see Section D(28)].

SECTION B – NEW HOME OVERVIEW

(1) PLANNING THE NEW HOME PROJECT

The building permit application, one set of house plans (**11" X 17" size**), ACC specification sheets, and all other required documents must be submitted to the ACC Office by the submittal deadline. (A complete checklist of the requirements is in **Section F** of this handbook). Until the permit application package is complete, your application will not be scheduled for ACC consideration.

The most important items, as well as the items that generally require the greatest amount of advance planning and preparation, include **plot plan, house plans (with proposed grades shown on elevations), drainage plan, Performance Bond/Letter of Credit, your need for financing (if required), selection of contractor, and energy letter**. The remaining items are also just as important, but the above items are the ones that most commonly create last-minute delays for the applicant.

Below is a sample checklist of some of the things you will want to consider:

- Basement.
- Views from your house and your neighbors' houses.
- Size of house.
- Size of nearby houses.
- Location of decks or patios.
- Location of neighbors' decks or patios.
- Drainage.
- Driveway and parking facilities.
- Setbacks and easements.
- Architecture design.
- Architecture of neighboring houses.
- Colors and materials.
- Trees and rocks.
- Location of outside compressor (heat pump).
- Location of propane tank.
- Retaining walls.
- Fences.
- Sewer interceptor tank.
- Swimming pool.

Since all exterior construction projects in Tellico Village require a permit, it will save both time and money if you can plan for and include on your initial application any fences, screens, retaining or privacy walls, swimming pools, or other structures. If you are building on a waterfront lot, you should also consider submitting your plans for any shoreline improvements such as boat docks, water intake systems, walls, or other structures [see Section B(6)].

(2) ACC CONSIDERATIONS

One of Tellico Village's great strengths is its diversity of styles and types of houses constructed. It is not the ACC's or the POA's intent to **unreasonably** restrict individual freedom of design expression by imposing the Rules, Regulations and Standards contained in this handbook. However, consistent with the POA's and the ACC's responsibility to protect the aesthetics and property values for **all** property owners, the ACC will **always** scrutinize the following key elements of each permit application:

a. The suitability of the house for the site on which it is being planned as well as the location of the house on the site. **Note:** The elevations of the lot, along with the finished floor elevations, as they may relate to drainage, sewer installations and the height of the proposed house and adjacent houses, are always given consideration.

b. The harmony of the external design, location in relation to surrounding structures and topography.

c. The location of drives, walks, walls, fences, porches, decks, outside compressors, and other structures and their possible impact on adjacent properties.

(3) PLOT PLANS – ORIENTING THE HOUSE

The plot plan is a key part of your permit application and you should refer directly to the complete list of information required on the plot plan in **Section D(7)**.

(4) BOND REQUIREMENTS FOR ASSURANCE OF CONSTRUCTION COMPLETION:

New construction of a home or commercial structure in Tellico Village will require the property owner to provide a bond/letter of credit to the POA that will assure the project's completion. ***CONTACT THE ACC OFFICE FOR CURRENT REQUIREMENTS.***

The Performance Bond/Letter of Credit will not be released until (i) all requirements of the POA's and ACC's Rules, Regulations and Standards have been met, including basic ground cover, and (ii) a copy of the Certificate of Occupancy from the authority having jurisdiction for building code compliance is submitted to the ACC Office.

(5) UTILITIES

Your permit application must include the documents and connection fees for the temporary and permanent water, sewer, and electric hookups. These connection fees must be paid at the time you file your building permit application (see checklist in **Section E**).

a. Paving

Completion dates for utilities and paving to be performed by Cooper Communities, Inc. (the "Developer") are included in the PROPERTY REPORT required under federal law to be provided to property owners who purchase from the Developer. You may obtain one from the Developer, which maintains an office located at 100 Chota Center.

b. Electricity

i) LOUDON COUNTY: Loudon Utilities Board (LUB)

Your contractor will supply and erect a temporary power pole (wired in accordance with applicable electrical codes) and contact Loudon Utilities Board (LUB) at 865-458-2091 to arrange for hookup to the transformer. For permanent service, the contractor will supply the electrical conduit as well as dig the trench and supply the labor for installing the underground service. LUB supplies the wire and must be contacted to coordinate the installation. The \$327.00 connection fee must be submitted with your building permit application. An underground installation fee of \$20.00 per month for 60 months will be added to your electric bill by LUB for underground service. If your house occupies more than one lot, the electrical fees will be multiplied by the number of lots occupied.

ii) MONROE COUNTY: Fort Loudon Electric Co-op (FLEC)

The property owner must sign up for electric service at Fort Loudon Electric Co-op (FLEC) in Vonore (phone: 423/884-2049). The Contractor must contact FLEC to arrange for temporary service during construction. For permanent service, FLEC will supply the electrical conduit as well as dig the trench and supply the labor for installing the underground service. Please contact FLEC for current costs.

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c. Water

After the building permit has been approved, the Tellico Village Public Works Department will install a water meter. A short pipe will be stubbed out, enabling the contractor to attach a valve for temporary water service. To arrange for the permanent water hook-up to the house, you will need to submit to the Public Works Department the form "Scheduling Installation of the Pumped Effluent Sewer System" **at least two (2) weeks, but not more than three (3) weeks** prior to the time that installation of the interceptor tank is needed. Materials and labor are included in the utilities assessment paid with your application. Also, at the option of the contractor and/or homeowner, Public Works will offer to sleeve the water line from the meter to the five (5) foot stub out at the house, at an additional cost for materials only. The property owner owns and is responsible for the repair, maintenance and replacement of the service line subject to the POA's one-year warranty upon installation.

d. Sewer

The utilities assessment paid with your application will also provide for the materials and labor for the installation of the sewer system. It should be noted that additional charges may be incurred where normal installation costs are exceeded because of location, rock, topography or other unusual circumstances. The Public Works Department will install the system. This should be coordinated by the contractor, who must contact Public Works to determine the location of the sewer pipe stub-out and the necessary wiring for the pump. A small maintenance assessment is added to your sewer bill each month, which provides for the maintenance of the sewer line, tank, pump and panel. Problems resulting from abuse of the system may result in additional costs for which you will be responsible.

e. Telephone

The ACC Office will notify the telephone company of the approved building permit. However, the owner is advised to contact the telephone company business office for more information regarding wiring and establishing service. In Loudon County contact BellSouth at 888/757-6500. In Monroe County contact TDS Telecom at 888/837-3138. Local telephone service may also be available through your cable company.

f. Cable TV

Cable service is available in Loudon County. The cable company recommends RG-6 as the best cable to use for wiring the house. The local cable provider should be contacted for more information and to apply for service.

g. Landscaping around Utility Facilities

Landscaping around electrical transformers, water/sewer connections, telephone/cable TV equipment or utility or right-of-way easements or anywhere in the utility easement area (i.e., within 7.5 feet of all property lot lines) are installed at the owner's risk! If trees, shrubs, grass, plantings or any other such landscaping interferes with the servicing or connecting of utilities by a utility company, POA, or other interested parties, it may be removed by the POA, the utility company or other interested party at the owner's expense and without any obligation of replacement. See also **Section D(35)**, Item 2 regarding landscape structures in utility easements.

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(6) CONSTRUCTION WITHIN THE SHORELINE STRIP

Construction within the Shoreline Strip must conform to the requirements of TVA and other appropriate agencies, the Shoreline Strip rules, the Water Use Facilities Permit and the ACC Standards and Rules for Permits and Construction within the Shoreline Strip.

No shoreline construction projects can take place on the shoreline strip unless the lot has shoreline privileges. Only lots designated on the recorded plats as having shoreline privileges are eligible for submitting a shoreline permit application package.

TVA conducts shoreline inspections that include Tellico Village, and has observed that many homeowners are extensively landscaping TVA land fronting their lots below the 820-foot contour line to a point that restricts or blocks the general public's use of the reservoir shoreline. This directly conflicts with the Declaration and the Shoreline Strip Rules, which govern these areas. The Shoreline Strip Rules state:

"The shoreline strip may not be used by owners of the abutting property in ways that will block or unduly restrict the general public's use of reservoir shoreline or waters, and all use is subject to the paramount rights of the United States."

ALL ACTIVITIES such as tree-cutting, underbrush clearing of vegetation, and landscaping below the 820' contour must have prior approval by TVA. For further information or assistance, please contact TVA or the ACC Office.

(7) CONSTRUCTION ON GOLF COURSE LOTS

No structures are allowed within the twenty (20) foot golf course setback. Any landscaping work within this golf course setback must be submitted to and approved by the Golf Course Superintendent. Please contact the golf course superintendent of the appropriate course for more information.

(8) CONSTRUCTION ON RECREATIONAL LOTS

TVA has designated some public properties as recreational areas. A few lots in Tellico Village abut these properties and have special restrictions. Please refer to the notes on the recorded plats for more information.

(9) TERMITE PROTECTION

All new homes built in Tellico Village must submit written proof of an approved termite soil treatment by a properly licensed professional **before** requesting the final review. No new home will be released from the performance bond obligation until this requirement has been met.

(10) SIGNS

The Declaration contains several prohibitions against certain signs in Tellico Village and the ACC has stringent rules and regulations regarding signs. Please review the actual sign rules in **Section D(30)** for details.

(11) UTILITY EASEMENTS

There is at a minimum a 7½ foot utility easement strip along the interior of all lot lines of each lot in Tellico Village, and some lots have larger utility easements stated on the plats. Within these aforesaid easements, no structure, planting or other material shall be placed or permitted to remain which may damage or interfere with the installation and maintenance of utilities, or which may change the direction of flow of drainage channels within the easements, or which may obstruct or retard the flow of water through drainage channels within the easements.

Section B reviewed and revised 12/15/10

SECTION C – GOOD PRACTICE CONSIDERATIONS

The following practical suggestions are offered to assist the applicant in the planning of the applicant's home.

(1) SITE PLAN CONSIDERATIONS

In evaluating the compatibility of the applicant's structure with surrounding structures, the ACC will consider:

- Installation of a reflective sign with the house number, which signs are available from the Department in either green or brown.
- Setbacks and location – Views from properties of such amenities as the lake, golf course, and or scenic mountains are important elements of the attractiveness of Tellico Village. When planning a new home, the ACC encourages prospective homeowners to be considerate toward the occupants of existing adjacent homes. While such views are not protected by the POA's rules or regulations, whenever practical and without causing hardship, the ACC urges you to consider locating your new home and landscape features so as to afford the neighbors a 45° angle of view from the closest window in the wall most nearly facing such amenity, or from the nearest outside corner of a deck or patio facing such amenity. Therefore, the ACC shall consider location in relation to surrounding structures and topography for each application.
WARNING: Lot owners are cautioned that, absent an appropriate easement or other enforceable right, no lot owner has a guaranteed view shed over an adjoining lot, and landscaping structures within the minimum setback areas of adjacent lots may later adversely affect a lot owner's initial view!
- Air Conditioning Condensers/Heat Pumps – Every effort should be made to locate A/C condensers so as to minimize the noise levels reaching adjacent patios, decks, and screened porches.

(2) HOUSE PLAN CONSIDERATIONS

Summer sun can be intense in East Tennessee. Consideration should be given to screening decks, patios and screened porches by the judicious placement of trees and/or orienting those elements away from the southern and western exposures.

House setback and proposed location considerations are addressed in **Section C(1)**, but similar consideration should be given to the impact of building height on blocking the view of existing homes.

ACC regulations do not currently require landscape plans. However, basic landscaping concepts should be considered when situating the home on the lot, not after it is erected. Curb appeal is extremely important, not only to the resale value, but also to the overall character of the neighborhood and, by extension, to the entire Village. Efforts should be made by property owners to coordinate with neighboring homes the treatment of the street right of way. Low evergreen shrubs at the foundation soften the building lines, vertical accents at corners and a blending of lawn and natural areas are usually appropriate.

Other General Design Considerations:

a. Storm Water and Drainage Control

As the community becomes more densely developed, the relationships between proposed homes and neighboring properties become increasingly complex. Permit applicants are

reminded that proper drainage control must be established and maintained to prevent increased water runoff onto adjacent properties.

This is most commonly accomplished by means of drainage swales constructed within the 7.5 foot Utility Easement at side yards, and/or by a system of drains, catch basins, and buried pipes to suitable discharge points. Collaboration between adjacent property owners is strongly encouraged.

If the home fills the building envelope, it must be shown how access will be gained from the front of the home to the rear. A more detailed drainage plan must be shown if there is less than 11.5 feet from the gutter to the lot line.

Note: Raising the final grade such that it might create a drainage issue on streets or adjoining properties is prohibited!

In the event adjacent homeowners cannot affect a mutually satisfactory drainage solution, the Developer retains the perpetual right to install, maintain, and use the Utility and Drainage Easement along all lot lines for utility purposes, including drainage lines, drainage ditches, and drainage structures (see Article IV of the Declaration). The cost of such improvements may be charged to the affected property owners. Similarly, the POA retains the right to effect solutions for street right-of-way problems.

b. Sight Distance at Intersections

Attention must also be given to maintaining adequate **SIGHT DISTANCES AT INTERSECTIONS**. See Section D (12) for rules pertaining to sight distance requirements.

c. Exterior Lighting

The impact of exterior lighting on neighboring houses should also be given consideration. See Section D (14) for rules pertaining to exterior, landscape and security lighting.

(3) FIRE AND SAFETY CONSIDERATIONS

The Tellico Village Volunteer Fire Department has two recommendations to facilitate rapid response to residences dialing 911:

- Installation of a reflective sign with the house number, which signs are available from the Department in either green or brown.
- A 3-position switch permitting OFF, constant ON, or FLASHING (for emergency), for an exterior house light or post light.

In addition to these items, property owners building new homes are urged to strongly consider the installation of a home sprinkler system.

(4) ACC MEMBERS JOB SITE CHECKLIST

Note: The following checklist, used by ACC members to review your site after you have submitted a permit application package to build a house, is provided so that you will be aware of items that the ACC will consider during its review. These are things you should think about during your planning process:

1. Take a copy of the plot plan and spec sheet to the proposed job site. If houses are to be built beside the proposed house, take plot plans of them also.
2. Will the style and size of the proposed home blend with the neighborhood?
3. Will the height elevations work or are there other topography issues?
4. Note all setbacks and easements, including golf course.
5. Is the radius sufficient for driveway turnaround (at least 25 feet recommended).
6. Is driveway width a minimum of 10 feet?
7. Compare location of decks and patios to those on existing homes for privacy, noise and similar concerns.
8. Will a retaining wall be required?
9. Where is the interceptor tank location (check elevation)?
10. How will drainage be achieved without adversely affecting adjoining properties?
11. Can the proposed dwelling be better oriented on the lot?
12. Are there two basement exits?
13. Do the plan elevations properly show the slopes, etc. on the lot?
14. Are distances from the property line shown on the plan?
15. Are the proposed exterior colors compatible for the neighborhood?
16. Is the external design and location of the house in harmony with relation to surrounding structures?
17. Is a fence, swimming pool or accessory structure requested?
18. Are there any potential encroachments into easements or setbacks?

Section C reviewed 12/15/10

SECTION D, PART I - RULES, REGULATIONS AND STANDARDS

PART I – CONSTRUCTION RELATED RULES, REGULATIONS AND STANDARDS

Note: Building Code Permits must be obtained from the authority having jurisdiction in addition to the ACC Review Permit!

(1) ACC REVIEW PERMITS

No building, fence, wall or other structure shall be commenced or erected in Tellico Village, nor shall any exterior addition, change or alteration be made thereto, until and unless a permit has been approved and issued by the ACC (see Section A). ACC Permits shall be required for all permanent and temporary construction, additions, revisions, blasting, removal, or demolition within Tellico Village or the Shoreline Strip including, but not limited to the following:

Changing exterior colors, lot clearance, cutting trees, residential homes and buildings, decks, porches, steps, storage buildings, docks, carports, garages, driveways, sidewalks, patios, retaining walls, pump stations, irrigation systems, irrigation wells, propane tanks, solar energy systems, geothermal energy systems, swimming pools, swimming pool buildings, fences, commercial buildings, recreational buildings, public buildings, parking lots, access streets and roads, tennis courts, racquetball courts, baseball, soccer, and football fields, cemeteries, cutting and filling, flag poles, antennas, landscaping structures, and all other similar type structures and any related temporary or permanent construction necessary or undertaken in connection thereto.

All permits issued by the ACC shall be in compliance with the Declaration, the Protective Covenants, the Shoreline Strip Rules, the Water Use Facilities Permit and any additional rules, regulations or standards adopted by the ACC or the POA Board of Directors. The ACC office will process all applications and issue all permits approved by the ACC.

Permits for construction of private water use facilities within the Shoreline Strip areas (elevation below 820 MSL) are covered in the ACC's "Standards for Usage of and Building and Construction Within the Shoreline Strip". The ACC has a separate packet of information for Shoreline Strip Permits.

Acceptance of a permit by the ACC or POA, whether under this rule or other authority, by the applicant property owner shall constitute the property owner's agreement, as well as the agreement of any contractor or third party doing work on behalf of the property owner under such permit, to abide by and comply with all the terms and conditions of the permit, the Rules, Regulations and Standards contained in this handbook, and all procedural requirements related to the administration and enforcement of the permit, including without limitation the assessment of any fees, penalties or other charges associated with the issuance, administration, maintenance or enforcement of the same.

The terms and conditions of this handbook are incorporated by reference into each permit issued by the ACC or POA and all property owners receiving a permit from the ACC or POA are required to incorporate the requirements and provisions of this handbook as a requirement in any contract with any contractor or third party doing work under the permit.

PERMIT CHANGE REQUEST: *Once plans have been approved for a new home, shoreline project or miscellaneous project, any exterior changes (including location or elevation) must be submitted to the ACC and approved prior to changes being made.*

(2) STANDARD CODES

Loudon County conducts building code inspections on properties located within Loudon County (for permits issued after December 31, 2005). TRDA conducts building code inspections on Kahite properties located within Monroe County (for permits issued after January 15, 2009). Building permits for code inspections must be obtained from the jurisdiction having authority in addition to the required ACC review permits. Please call the ACC Office for additional information 865/458-5408 extension 4117.

The design and construction of all buildings and the issuance of permits for same shall be in accordance with the Standard Building Code, by the Southern Building Code Congress International, Inc., current as of the date of permit approval, (hereinafter referred to as the "Standard Building Code"), or such other codes as may be adopted by the ACC (and/or the authority having code jurisdiction) from time to time (check with the ACC Office to verify current codes adopted).

a. Structural

All structural design and construction of buildings shall be in accordance with the adopted Building Code or the American National Standard Building Code Requirements for Minimum Design Loads in Buildings and Other Structures, by the American National Standards Institute, Inc., (hereinafter referred to as the "A.N.S.I. Code", whichever is stricter).

b. Electrical

All electrical installations shall conform to the National Electrical Code, by the National Fire Protection Association, (hereinafter referred to as the "National Electrical Code").

c. Mechanical

All mechanical installations, including, but not limited to, heating, ventilating, and air conditioning systems shall be in accordance with the adopted Mechanical Code.

d. Plumbing

All plumbing installations shall conform to the adopted Plumbing Code and to the requirements of the Tennessee Department of Health and Environment.

e. Fireplaces and wood heating systems

All fireplace and wood heating systems shall conform to the adopted building code requirements.

REMINDER! The ACC has adopted standards for construction, but it does not inspect or assume responsibility for compliance of building code requirements.

Prior to a final compliance review and permission for occupancy, both by the ACC and the jurisdiction having inspection authority for building code compliance, all required forms, certifications and surveys must be submitted to the ACC (call the ACC Office for specific occupancy requirements: 865/458-5408 extension 4117). Please contact the jurisdiction conducting code inspections for information relating to final inspections and the issuance of a Certificate of Occupancy.

(3) AESTHETIC DESIGN OF BUILDINGS

A curbside survey of houses constructed in Tellico Village was conducted to determine a design baseline that has evolved through mid 2004. Results indicate that approximately 95% of homes fall within a range of external design characteristics, which in large measure establishes the attractiveness of Tellico Village. The intent of the following aesthetic objectives and rules is to encourage the continued use of those identified characteristics so as to further contribute to and maintain the attractiveness and livability of Tellico Village. When stated, rules are also provided to ensure a minimum level of aesthetic compliance and are applicable only to permits issued after the adoption of the subject rules.

Property owners are encouraged to consider adding details to their proposed home that will enhance its character (i.e. gables, dormers, bay windows, columns, shutters, decorative vents, brick detailing, etc). Submittals for construction and improvements are to be in harmony and compatibility in scale, materials, colors, fenestration (the design and disposition of windows and other exterior openings) and location in relation with surrounding structures and topography and broader community standards as provided in the following subsection entitled "Design Elements."

All buildings and structures shall meet the minimum requirements for aesthetics as provided in this handbook, including, but not limited to, the following:

a. Design Elements

Scale (Size, Height, Footprint* and Massing).

Objective: These characteristics are all interrelated. While the minimum size of house is prescribed in the following rule, care should be taken to see that houses fit into the scale of other homes in the neighborhood area (as defined below) and proportions of the home are in harmony with the community. Extreme differences in size and height are strongly discouraged.

Rules: All houses shall have a minimum square footage of 1,200 heated square feet with a footprint equal to fifty percent (50%) of the heated area plus 400 square feet but not less than 1,000 total square feet. The footprint of the garage and/or outbuildings shall not exceed one half the footprint of the combined building elements. All houses shall also include a minimum of a two-car garage.

(*Footprint is defined as that area within the outside dimension of all exterior walls and covered porches, but excluding open decks and patios).

b. Materials

(Brick, Stone, Stucco, Siding and Roofing).

Objective: Materials should be selected for permanence, maintenance capability, and consideration for unique climatic conditions of the area and compatibility to the neighborhood area. The use of materials widely perceived as representing quality such as stone or brick masonry, stucco or combinations thereof are encouraged for principal public views from street(s), lake or golf course.

Rules: None of the following exterior finish materials shall be allowed: standard concrete block (CMU), clay block, asphalt siding, asphalt shingle siding, or insulation board. No bright, shiny or reflective roofs are permitted.

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c. Colors

(Shingles, Siding, Trim, Accents, Brick/Stone and Mortar).

Objective: The baseline survey demonstrates that Tellico Village residences employ a great deal of brick and stone in warm tones and a siding color palette that ranges from light gray through the tan spectrum of shades to light cream/soft yellow. While individual styles are encouraged, neighborhood and community harmony should be considered when choosing colors and combination of materials.

Rules: All exterior colors **must blend harmoniously** with the existing homes in the neighborhood area. Colors should be muted and of soft tones. Extremes such as bright colors, dark colors (including black) and metallic colors will not be considered. Exterior components such as front door and shutters may be a brighter color if such color(s) complement the exterior colors. No bright, shiny or reflective roofs (whether metallic or other material) are permitted on houses, outbuildings, docks or any other structures requiring a permit. Wood decks, stairs, boathouses and docks shall be either sealed or finished with paint or stain and not left to weather beyond their recommended acclimation period (generally six months). **For purposes of rules in this section, the term “neighborhood” is defined as the subdivision listed on the recorded plat of the lot for the proposed dwelling or dwelling being modified.**

d. Fenestration and Exterior Design

(Windows, Doors, Roof Pitch, and Roof Planes).

Objective: The presentation of the home's façade (elevations) to principal public views (such as streets, lake and/or golf course) is important to maintaining the harmony of external design within the neighborhood area and Tellico Village. The façades exposed to view from streets, lake or golf course should exhibit design features that add character, such as gable end projections, porch or portico, wide steps, planters, bay or specially designed windows, entrance door with sidelights, shutters, decorative vents, dormers and brick detail.

Rules: The roof pitch shall be a minimum of 6:12 and shall contain a minimum of six prominent roof planes. Street façade shall be reasonably articulated with a minimum of three planes (offsets in the exterior wall). If brick or stone is used on the front elevation, it must wrap a minimum of two (2) feet around the corners. Large commercial sized garage doors are generally not compatible with community standards and will not to be permitted unless the door is designed in such a way as to hide or appropriately disguise its size. This might be accomplished by using a retractable façade in front of the high section of the door.

e. Location

The ACC shall have the authority to modify the proposed location of any building, fence, wall, dock or other structure. The ACC shall consider location in relation to surrounding structures and topography. As provided in Article XI of the Declaration, "[t]he Committee shall make such determinations by majority vote and the determination of the individual committee members shall be upon the exercise of the sole and absolute discretion of such member."

f. Manufactured Structures

All structures constructed within Tellico Village, whether residential, commercial or institutional, shall be: site built, modular factory built, or a combination of the two systems and compliant with all applicable Building Codes. Any such structure larger than a permitted storage building shall be permanently attached to a continuous exterior

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foundation wall. All design elements of a manufactured structure must conform to all other Blue Book requirements and will be reviewed by the ACC.

No “manufactured” buildings (formerly identified as “mobile”) which are constructed on a non-removable steel frame and delivered to the site on wheels, whether HUD approved or not, are allowed.

(4) TIME FOR COMPLETION

a. Single Family Dwellings

All contingencies must be met, final approval must be obtained, and actual construction commenced no later than forty-five (45) days from the date of the ACC meeting at which conditional approval is given. Failure to meet this requirement will void the ACC approval, and the building permit fee will be forfeited. In that event, a new and complete application must be submitted for reconsideration.

Beginning with the date of issuance of the conditional permit, the exterior of the home should be substantially complete within six (6) months. The interior and exterior of the structure shall be completely finished, final grading, drainage, and basic ground cover completed, within twelve (12) months of the issuance of the conditional permit, or an ACC approved extension must be obtained by the property owner. Basic landscaping, including seeding and/or mulching shall be completed within fifteen (15) months from the date of issuance of the conditional permit, or 3 months after house is complete, whichever is later.

THE ACC FINAL COMPLIANCE REVIEW WILL NOT BE SCHEDULED UNTIL GROUND COVER IS IN PLACE AND THE ACC OFFICE HAS RECEIVED THE FOLLOWING ORIGINAL DOCUMENTS (the county building code department may have additional requirements):

- **Final As-Built Survey**
- **Termite Letter (copy acceptable)**
- **Engineer’s Letters for retaining walls, as required**

Property owners should check with the county building code department to determine if any problem was noted on the building code final inspection.

NO HOUSE IS TO BE OCCUPIED UNTIL THE FINAL ACC COMPLIANCE REVIEW IS COMPLETE AND ACC APPROVAL IS GIVEN. IN ADDITION, THE JURISDICTION HAVING AUTHORITY FOR BUILDING CODE INSPECTIONS MUST HAVE COMPLETED THE FINAL INSPECTION AND A CERTIFICATE OF OCCUPANCY MUST HAVE BEEN OBTAINED.

b. Miscellaneous Projects

Miscellaneous projects must be completed within six (6) months of the permit approval date or an ACC approved extension must be obtained.

(5) ENERGY CONSERVATION DESIGN

It is a stated goal of TVA that building construction be energy efficient and in compliance with the local electric distributor’s energy criteria. Compliance with this provision shall be

certified as having met such requirements and standards if reviewed and approved by a certified energy auditor approved by the property owner's utility company. A copy of this approval must be submitted to the ACC before the building permit will be issued. The application forms to be submitted to the utility company are available at the ACC office.

(6) FOUNDATIONS

Site-specific foundation investigations by the property owner are encouraged, but not required by code, for lightly loaded residences. In the absence of site-specific foundation studies, great care should be taken in the design of the foundation to insure the adequacy and structural integrity of the building.

- All residential structures must have a continuous permanent foundation.
- Exposed block foundations and poured concrete foundation walls must be properly stuccoed or covered with brick, stone, or some other finishing material approved by the ACC.
- Exposed block foundations that are covered with stucco must be done in a manner so that the mortar joints are not detectable.
- Split-face CMU is acceptable and is not generally required to be painted or stuccoed.
- All finish colors of stucco walls shall be color coordinated with the exterior walls. No bright, shiny, reflective or fluorescent colors are permitted.
- Foundations of any structures constructed within the Tellico Reservoir Structural Profile or the 100 Year flood line shall be designed to withstand flood conditions and forces.

To prevent staining of foundation walls, immediately upon installation of foundation wall finishes (i.e. brick, stone, stucco and paint) the contractor/property owner should spread straw over the disturbed soil in a minimum area of 3' wide and 6" deep.

(7) PLOT PLAN AND SURVEY REQUIREMENTS

a. State Survey Requirements

All surveys shall meet state Survey Requirements for General Property Survey as outlined under 0820-3-.07, and shall meet or exceed (Urban Land Surveys, Class A) Accuracy of Surveys as outlined under 0820-3-.05. For this information see "Rules of Department of Insurance, Division of Regulatory Boards, Board of Examiners for Land Surveyors", "Chapter 0820-3, Standards of Practice".

b. Checklist of Plot Plan and Survey Requirements for Existing Conditions

Bearings and Distances shall be based on an *actual* field survey, **not** copied from the Record Plat. Also, Shoreline Strip Bearings and Distances and Lakeward Extension Lines for Waterfront Properties must be included.

- All easement dimensions shall be shown not stated. Utility easements extend from all lot lines including the front and back lot lines as well as side lot lines.
- All building setback dimensions, including golf course/recreational area setbacks, shall be shown, not stated.
- Lot corners must be noted as either found or set.
- All existing utilities shall be shown and plotted to scale based on an actual field survey
- Locate and show outline of house on adjoining lot or make note that no house is present

- Topography at maximum of 2-foot intervals based on actual field survey.
- All elevations shall be based upon either monuments or Record Plats. Plot plans shall indicate derivation. Elevation of street and all floor levels shall be shown including all garages.
- Locate centerline of existing road and show width. Contours shall go from edge of pavement to rear property line
- Scale: 1" = 30 feet (Unless an alternative scale has received prior approval from the ACC Office).

c. Checklist of Plot Plan and Survey Requirements for Proposed Improvements

- Scale: 1" = 30 feet (Unless an alternative scale has received prior approval from the ACC Office).
- Show house footprint with roof overhang and all other proposed improvements: decks, heat/air units, concrete pads, patios, driveways, porches, fences, swimming pools and aprons, walks, sewage tank, sewer stub-out, service entry for water and sewer, soil erosion structure, retaining walls, etc.
- Show proposed tile location under driveway. Contact the Public Works Office for driveway tile and other utility questions at 865/458-4522.
- Show proposed location of conduit under driveway for cable TV.
- Show proposed basement, finish floor, and garage elevations.
- Show distance from the closest point of the proposed house, including projections, roof overhangs (including storm water gutters), porches, driveways, sidewalks, concrete pads and patios, on each side to the property line. This measurement must be perpendicular to the property line. Then show the distance down the property line to the property corner.
- Projections and overhangs shall not encroach into easements.
- On a copy of your plot plan, show your drainage plan for controlling water runoff from your new home and keeping the water off adjacent properties. Show any needed swales or other drainage control measures to properly control water runoff during construction and after completion. A more detailed drainage plan must be shown if there is less than 11.5 feet from the gutter to the lot line.
- If the application involves Shoreline Strip improvements such as a dock, irrigation system, geothermal system, water and electric service, etc., these shall be accurately located on the plot plan. A licensed surveyor shall establish the positions of the dock, irrigation system pump, and geothermal coils to assure that they are correctly located in accordance with the permit application.
- Final grades are required to slope away from building foundations a minimum of five percent (5%) (the equivalent of 6" in 10') or swales may be required to prevent drainage problems (indicated by notes on plot plan.)
- Title Block must include the owner's name, plan title, certification as to precision, location by lot, block, and subdivision, legend, date and revisions, scale, surveyor's name, address, and seal.
- Show certain trees as required by the following rule:

Objective: To preserve the rural, woodland character of Tellico Village.

Rule: On a copy of the plot plan, indicate all healthy *trees outside of the 20 foot perimeter of the home that will be removed and state the reason for the removal. [*Deciduous [non-evergreen] trees that are six (6) inches or more in diameter measured 48 inches (4 feet) above existing grade.] If the applicant intends to remove any trees within this area, an explanation is required (i.e. enhance view, safety, facilitate drainage structure, driveway cuts, grading, etc.). As a condition to granting the permit, the ACC may require the planting of one or more additional trees elsewhere on the site to ameliorate the effects of any permitted tree removal that alters the site character of the lot as determined by the ACC.

One (1) copy of the Plot Plan with original seal and signature must be delivered to the ACC Office with the permit application.

d. Footing Survey Confirmation

A surveyor's footing survey including the elevation of the footers must be updated and submitted to the ACC Office **within 5 business days** after the completion of the footings to assure conformity with the site location as originally submitted in the permit application. At this time the surveyor shall set nails in the footers to accurately locate foundation walls. ***The POA Office (458-4522) shall be notified the day the footings are poured.***

e. Final As-Built Survey

This survey shall show all construction and improvements on the lot including (but not limited to) the following: house, driveway, sidewalk, steps, stoops, patios, fences, swimming pools and aprons, retaining walls, air conditioner/heat pump pads and equipment, sewage and propane tanks. **This document MUST be submitted when the final compliance review is requested.**

- If there has been a permit issued for shoreline improvement and it has been completed, the as-built survey must show the dock, walkway, water and electric lines, and geothermal coils to be within the imaginary lakeward extension lines.
- If the shoreline improvement is completed at a later date, a final as-built survey must be submitted to the ACC office at the completion of the project.

(8) HOUSE PLAN REQUIREMENTS

a. General Design Considerations

In addition to the items listed in **Section B(3)**, Article XI of the Declaration requires that no building, fence, wall or other structure be commenced until plans and specifications showing the nature, kind, shape, height, materials and location of same shall have been approved by the ACC. Specifically this approval concerns the harmony of external design, location in relation to surrounding structures, topography and compliance with the Declaration and Protective Covenants.

To facilitate this ACC review, **good documentation is required for all applications**, including miscellaneous, shoreline and residences. All plans shall be drawn to scale **with a graphic scale** located on the plan, elevation and section drawings. Documents should contain sufficient notes or specifications to assure compliance by contractors with applicable codes.

ACC policy does not allow permanent concrete, bricks or paving blocks set in concrete, or asphalt driveways or walkways encroaching within the 7.5' Utility and Drainage Easement. In tight situations, removable brick, stone or concrete pavers in these areas may be approved by the ACC upon the granting of a variance, which must be signed, notarized and recorded with the Register of Deeds for the county where the affected lot is located. A standard form for recording this variance will be prepared by the ACC office.

b. Flood Plain Requirements

Any permanent facilities or equipment subject to flood damage must be located above, or flood-proofed to, the Tellico Reservoir Structural Profile elevation or the 100-year flood plain elevation, as applicable at that site.

No building or structure shall be erected, and no existing building or structure shall be extended or moved, unless the lowest habitable finished floor of the building or structure is placed at least one (1) foot above the elevation of the Tellico Reservoir Structural Profile or the 100-year flood plain, as appropriate. In no case will home construction be approved below a level of one (1) foot above the 100-year flood plain elevation.

c. Checklist, Proposed Building Plans

One set of building plans must be submitted to the ACC office along with the permit application. All floor plans and elevations shall contain **a legible graphic scale** indicating at a minimum one, two, three, four, five, ten and twenty feet distances at the scale used for that drawing.

- House Plans size shall be 11" x 17".
- Foundation Plan – fully dimensioned.
- Floor Plan (s) – fully dimensioned.
- Roof Plan – showing all planes, pitch, chimneys and skylights.
- Elevations – depicting all sides, indicating exterior finish materials, elevations (top of footing, floor elevations, and top of wall plate), existing grades and proposed finish grades, and retaining walls.
- A minimum of one section through building from front to back.

(9) OCCUPANCY

THE HOUSE IS NOT TO BE OCCUPIED UNTIL THE FINAL ACC COMPLIANCE REVIEW IS COMPLETE, WRITTEN ACC APPROVAL IS ISSUED, AND THE AUTHORITY HAVING JURISDICTION FOR BUILDING CODE COMPLIANCE HAS ISSUED A CERTIFICATE OF OCCUPANCY.

(10) CENTRAL SEWER AND PUBLIC WATER SYSTEM

Tellico Village utilizes a pumped effluent sewer system. This system consists of holding tanks, pumps, electrical controls, and associated appurtenances. The property owner will be responsible for locating and extending the sewer and water service lines five (5) feet from any portion of the structure, including decks, porches, patios, etc. These service line locations are to be marked by stakes and caps placed on all stub-outs. The owner shall also provide, at a location to be determined by the Public Works Department, a 230-volt 60-cycle single-phase circuit using an AWG 12-2 wire with ground. In addition, an AWG 14-2 wire with ground on a 15-amp dedicated breaker shall be provided at the same

location. A minimum of six (6) feet of wire must be left outside the house. Service lines must be capped. The Public Works Department of the POA will install the necessary service line, tanks, pumps, controls, and appurtenances.

Based on the submitted plot plan, the Public Works Department will ultimately determine the location of the pump station. It is the property owner/contractor's responsibility to make sure the proposed tank location is in compliance with Public Works Department requirements. Prior to installation of the holding tank, the builder will establish a grade stake benchmark in the proximity of the tank to indicate finish yard elevation. This will allow the POA crews to install riser extensions that are more consistent with the finished yard elevation benchmark. The tank lid must be one foot (1') below the finish floor elevation. So that repair and maintenance are not hindered, the tank and control panel shall not be in fenced or heavily landscaped areas. The sewer stub-out from the house and the pump, tank, and controls must be accessible and located adjacent to each other. Please contact the Public Works Department at (865) 458-4522 for questions concerning the installation or maintenance of this system.

(11) OUTBUILDINGS AND DETACHED GARAGES

a. Outbuildings

Storage space and other uses for outbuildings should be included in or attached to the principal structure. However, consideration will be given to granting a permit for an outbuilding if the shape or size of the lot allows for the outbuilding to not be seen from the street or adjoining neighbors. In order to minimize the visual impact of small outbuildings the following rules apply:

- The outbuilding must not be visible from the street, golf course or lake.
- The outbuilding can be no larger than 8X10 feet.
- The outbuilding must be located no more than two feet from the rear wall of the residence.
- The outbuilding must be attached to a permanent foundation.
- The exterior materials and colors must match the home.
- Site-built outbuildings are preferred, although consideration will be given, based on a demonstrated hardship, to prefabricated buildings, providing all materials and colors used for the prefabricated building match those used for the residence.
- Shielding of the outbuilding by an initial planting of suitable shrubbery (or other means) may be specified by the ACC in the permit.

b. Detached Garages

Garages should generally be included in or attached to the principal structure. However, consideration will be given to granting a permit for a detached garage, if in the judgment of the ACC, the lot allows for such consideration. The following rules will apply in consideration of a permit application:

- The footprint shall not exceed one half of the footprint of the combined building elements.
- The garage must be site built and attached to a permanent foundation.
- Exterior materials and colors of the garage must match the principal residence.
- The roof pitch of the garage should match the principal structure.
- A permanent driveway must be connected to the street or existing driveway.

(12) SIGHT DISTANCES AT INTERSECTIONS

Section 18 of the Protective Covenants of the Declaration addresses the sight distances at intersections as follows:

No fence, wall, hedge, or shrub planting which obstructs sight lines at elevations between 2 and 6 feet above the roadways shall be placed or permitted to remain on any corner Lot within the triangular area formed by the street property lines and a line connecting them at points 25 feet from the intersection of the street property lines, or in the case of a rounded property corner from the intersection of the street property lines extended. The same sight line limitations shall apply on any Lot within 10 feet from the intersection of a street property line with the edge of a driveway or alley pavement. No tree shall be permitted to remain within such distances of such intersections unless the foliage line is maintained at sufficient height to prevent obstruction of such sight lines.

(13) SWIMMING POOLS

The following standards shall apply to all swimming pools:

- A permit is required for all in-ground pools; above-ground pools are not permitted.
- Swimming pools, fences and gates must meet the adopted county and building code requirements.
- No swimming pool or part thereof, including aprons and walks, shall protrude into any front yard, construction setback line, or easement.
- Discharging of backwash water shall not be permitted into the holding tank or any other part of the sewer system and shall be controlled so that it will not wash across an adjoining lot.
- All mechanical pool equipment must be screened.
- The applicants must provide adequate details on screening, landscaping and fencing of any permitted pool.

NOTE: Pools utilizing the public water supply system of Tellico Village must have a properly installed backflow preventer!

(14) EXTERIOR, LANDSCAPE AND SECURITY LIGHTING

Objective: To prevent objectionable levels of light from disturbing nearby neighbors and other adversely affected residents, the location, direction and intensity of all exterior, landscape and security lighting should be carefully planned, installed and maintained.

Rules: Exterior, landscape and security lighting, including the lighting of the American flag, shall be installed and maintained in a manner that does not shine directly into the doors, windows or porch or deck areas of adjoining lots or lots located across the street, common area or cove from the light source. This rule shall not apply to low-level solar lights or other low level lighting, not to exceed 25 watts per fixture.

(15) FENCES

All fences (except invisible fences) shall meet the following requirements:

- No fences or structures may be built on golf course/recreational area lots within the twenty (20) foot golf course setback. Please refer to Section B, Paragraphs (8) and (9).
- No fences shall be located within the utility easements.
- Fences shall be located only behind the front plane of the residence.
- Fences above ground shall not be electrified.
- Fence material must be vinyl, coated aluminum or other materials of durable and aesthetic quality approved by the ACC.
- No fence shall be built out of chain link, chains, galvanized metals, concrete blocks, barbed wire, chicken wire, woven wire, unfinished metals, cord wood, gravel, rubble, riprap, brush, refuse, or other objectionable material.
- All fences must be maintained in good condition. Periodic maintenance of fences is required, i.e., staining, painting, pressure washing, etc.
- With the exception of corner lots, the ACC may consider the use of a suitable outdoor wood fence if justified by hardship, with the requirement that the fence be maintained by pressure washing, staining, painting, etc. Outdoor wood fences must be located entirely in the rear yard within the side planes of the residence.
- Finish colors for fences shall complement the exterior walls of the home. No bright, shiny, reflective or fluorescent colors are permitted.
- The height of all fences shall be a maximum of four (4) feet. An exception will be allowed for fences around swimming pools to meet state and county code requirements.
- The preferred spacing between pickets for board-type fences is no larger than one-half the width of the vertical boards, for example, a 3½" picket should have no more than 1¾" between pickets.

(16) RETAINING WALLS

All retaining walls require a permit. All retaining walls that are 36 inches or higher above grade at any point must be designed and inspected by a registered professional engineer or architect. The construction of all retaining walls shall be in accordance with the plans as designed and permitted and shall be inspected and approved by the registered professional engineer or architect (or their representative), with a letter of approval as evidence thereof submitted to the ACC.

NO RETAINING WALL MAY BE BUILT WITHIN THE UTILITY EASEMENT OR GOLF COURSE/RECREATIONAL AREA SETBACK.

- All walls shall be in accordance with all applicable building codes. The safety and structural integrity of the retaining wall are the responsibility of the property owner and contractor.
- All walls within the Shoreline Strip require TVA approval and a current survey with the applicable corner pins and elevations clearly established.
- Retaining walls shall be built of durable materials, including, but not limited to, reinforced concrete, steel, pressure treated-wood, stone, brick or other approved materials.
- Finish colors for retaining walls must be color coordinated with the exterior walls of the home. No bright, shiny, reflective or fluorescent colors are permitted.

(17) DECKS

All decks must be approved by the county's building codes department. Building permits for code inspections must be obtained from the jurisdiction having authority in addition to the required ACC review permits. The property owner must submit proof of an approved building code inspection to the ACC Office. **Periodic maintenance of decks is required, i.e., staining, painting, pressure washing, etc.**

(18) HEATING/AIR UNITS AND PADS

HVAC units shall be placed in an area having minimal negative impact (e.g., sound and visibility) on adjoining properties. **No HVAC unit or pad shall encroach into the utility easements.**

GEOHERMAL SYSTEMS IN THE LAKE MUST BE ANCHORED WITHIN THE IMAGINARY LAKEWARD EXTENSION LINES OF THE OWNER'S LOT.

(19) PROPANE TANKS

- **ALL PROPANE TANKS REQUIRE A PERMIT AND MAY NOT BE LOCATED ON OR BURIED IN THE UTILITY EASEMENTS.**
- Propane tanks with a rated capacity of 100 gallons or more **REGARDLESS OF FILL AMOUNT MUST** be fully buried in the ground.
- Propane tanks with a rated capacity of 99 gallons or less may be installed above ground WITH AN **APPROVED PERMIT**. The permit application must show details as to the tank size and proposed location, the reason for the hardship requiring this request and must include the complete and immediate visual screening method to be used.

NOTE: Utility companies generally prohibit underground propane tanks from being located within fifteen feet (15') of underground electric lines or within ten feet (10') of the building structure.

(20) RADIO AND TELEVISION ANTENNAS

Except as provided below, a permit shall be required for each exterior antenna. Application for permits shall include:

- Information showing location, size, and complete specifications and dimensions.
- A statement that the property owner will comply with all applicable FCC Regulations, particularly regarding electro-magnetic interference, and will properly install the facilities in accordance with all license and regulatory requirements.
- Justification for need.

All permitted antennas shall comply with the following requirements:

- Only one permitted antenna shall be allowed per lot.
- Antenna height shall not exceed the distance from the base of the mounting unit to the nearest lot line and no guy wires shall be permitted.

- The antenna mast shall not exceed one and one half inches in diameter.
- If an array is attached to the mast it shall not exceed one meter in any dimension.
- The antenna shall be located in the side rear or back of the lot outside of the minimum setbacks and utility easements (usually 7-1/2 feet from side lines and 20 feet from rear property line). Preference is a location that cannot be easily seen from the street (in other words, the house should be used as a screen).
- Additional landscaping to screen the antenna may be required on lots located on street corners, bordering golf courses or adjacent to the lakeside.

Television satellite receivers (FCC-Approved) or dishes (antennas) of a meter (or less) diameter shall be allowed on any Tellico Village building without issuance of an ACC permit. Such antennas shall be placed in a location that is as minimally noticeable as possible.

Satellite dishes greater than a meter in diameter are restricted, require ACC approval, and shall meet the requirements of this rule before a permit will be issued.

Any electronic interference created by any antenna or satellite dish shall be the sole responsibility of the property owner, who shall correct the problem or remove the device.

(21) IRRIGATION SYSTEMS AND WELLS

a. A PERMIT IS REQUIRED FOR A LAWN SPRINKLER SYSTEM.

The location of the piping and sprinkler heads must be drawn on the Plot Plan, which shall be kept in the permit file. Lawn sprinkler systems require the installation of a reduced pressure backflow preventor when connected to a potable water system (often, a larger water service is needed). Annual inspections as required by law will be coordinated by the Public Works Dept. and charged to the homeowner.

b. Property owners may use the utility easement or building setback areas to place sprinkler systems, but **NOT the street right of way**. Property owners are cautioned, however, that any damage done to or caused by the sprinkler system being placed in these areas (as the result of utility work, mowing, repair vehicle traffic, or for any other reason or use), is **strictly the responsibility of the property owner**. The property owner who owns the sprinkler system agrees to indemnify and hold harmless the POA from any liability and damages arising from or on account of the sprinkler system's location in such restricted areas and agrees to remove any portion of the sprinkler system at the property owner's expense if the POA requests that the system be relocated.

c. The sprinkler system must be installed and maintained in such a manner as to prevent water being sprayed on the traveled portion of the street right-of-way. In the event POA requires that the sprinkler system be removed from the street right-of-way for any reason, the property owner shall promptly comply and remove the system at the property owner's expense.

d. Owners of lake lots may wish to use the lake water for irrigation purposes. ACC, TVA and Corps of Engineers permits are required -- contact the ACC office for details.

e. A permit is required to dig irrigation wells.

(22) DRIVEWAY AND PARKING SPACE

The following standards shall apply to each dwelling unit:

- There shall be a minimum of two (2), 200-square-foot paved vehicle parking spaces in addition to the garage.
- Each parking area shall be served by adequate driveway space for access to the street.
- Driveways shall be a minimum of ten (10) feet in width and should allow for a turning radius of not less than 25 feet.
- Materials shall be: hot-mix asphalt concrete, Portland cement concrete, brick, or other durable material so as to provide a dust-free, all-weather surface. Loose surface materials are not permitted (e.g., gravel, sand, etc.).

(23) EROSION AND STORM WATER DRAINAGE CONTROL

Unfortunately, some applicants for new homes have given little thought to drainage issues before applying for a permit. Property owners and contractors must understand elevation grades and decide how to resolve potential grading and drainage issues. This should be done prior to submitting the permit application to the ACC. If the home fills the building envelope, it must be shown how access will be gained from the front of the home to the rear.

Property owners should be aware that any work done on their lot affecting the drainage pattern (flower beds, grading, mulching, etc), must be controlled in such a manner as to prevent any resulting drainage problems for adjoining properties. **Any alteration to the approved drainage plan must be submitted to and approved by the ACC prior to commencing work.**

Each permit application shall be accompanied by a copy of the Surveyor's Plot Plan diagrammed and annotated to indicate how the applicant plans to handle (i) storm water drainage from sloping yards, drives and patios, and (ii) water drainage from footing drains and roof leaders by such means as curbs, catch basins, French drains, swales and subsurface piping. A more detailed drainage plan must be shown if there is less than 11.5 feet from the gutter to the lot line. Subsequent changes that affect drainage from the submitted drainage plan must be approved by the Public Works Department via a change order request. Any downspout piping in excess of four (4) feet from the house must be buried underground.

Erosion and sediment control measures must be maintained during and after construction. Measures must be taken to ensure that any excessive run-off, silt, and sediment is contained and not allowed to contaminate adjoining properties, common areas, golf courses, the TVA reservoir, and other similar areas in Tellico Village. Except in unusual circumstances, a **properly installed** silt fence is usually adequate. The silt fence **must** be properly installed and maintained in order to trap silt and must not allow silt or debris to be washed over, under or around the fence.

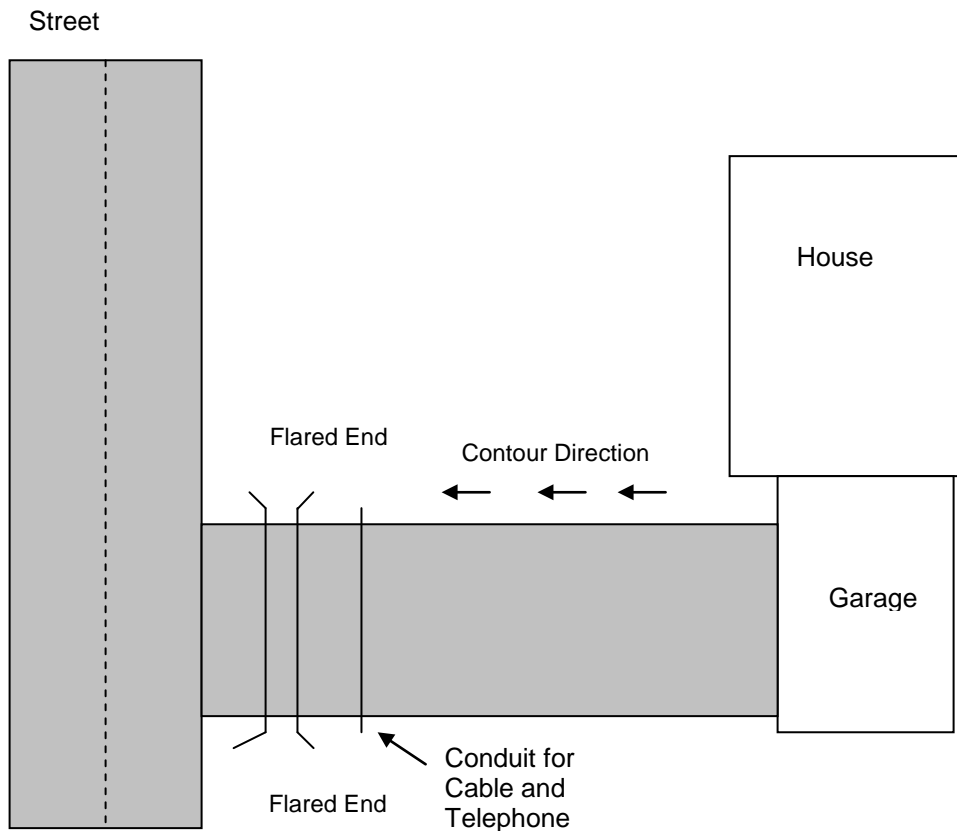
Storm water must not be allowed to unreasonably:

- **Run onto the streets.**
- **Run across the street to other properties.**
- **Be unnecessarily diverted to adjacent properties.**

In most instances, these requirements can be accomplished by properly utilizing the utility and drainage easements, natural swales, and the ditch at the roadway. Some drives may require a grate or swale to divert water into the ditch way. The driveway tile must be cleaned out and maintained by the property owner. All questions concerning street or driveway tiles should be addressed to the Public Works Dept. (865) 458-4522.

NOTE: Written permit approval must be granted by the Public Works Department Director to install any drain tile on any lot in Tellico Village (except for driveway tiles, which will be reviewed as part of the permit application process).

(24) DRIVEWAY TILE REQUIREMENT EXAMPLE



The driveway may also need a small swale or grate to prevent run-off into the street right-of-way. If the contour runs in the direction of the home, a grate or small swale may be required to prevent a drainage problem at the garage.

This is an example showing one possible way to help prevent excessive water run-off onto the street from the proposed site work. Please consult with the Public Works Department for questions or further clarification of driveway tile and grate requirements.

Reminder: It is the responsibility of the property owner to keep the driveway tile cleaned out and draining properly.

NOTE: The Public Works Department must be notified (865-458-4522) at least 24 hours in advance of pouring the driveway surface. This inspection is required to make sure the tile and grate are properly sized and installed.

(25) PUBLIC WORKS DEPARTMENT POLICY ON CLEANING TILES UNDER DRIVEWAYS

The Public Works Department has adopted a policy on the cleaning of driveway tiles. The following criteria must be met before tiles will be cleaned:

- Cleaning of tiles will only be conducted on a scheduled basis.
- Jobs must be requested by phoning the Public Works Department at least two weeks in advance.
- Cleaning work will only be done in “off peak” times (as determined by the Public Works Director), due to the workload of the Street Department.
- There will be a **minimum** charge for tile cleaning. Final costs will be determined after completion of the work. Jobs having more than twenty feet of tile will be taken on a job-to-job basis.
- The Public Works Department will not be responsible for any damage to other properties.

(26) STREET RIGHT-OF-WAY

The right-of-way of any street or roadway under the jurisdiction of the Public Works Department of the POA shall not be encroached upon or altered in any way without the written permission of the Public Works Director.

Each drive must be extended and maintained by the property owner to the edge of the street pavement. A driveway surface poured as part of new construction must be one and one half inches (1½”) above the street surface. Street shoulders shall be properly restored to their original condition if damaged during the construction process.

Driveway drainage tiles, if required, are to be installed at an elevation that meets the ditch grade and flow line. **The Public Works Department must be notified at least 24 hours in advance of pouring the driveway in order to complete an inspection on the installation and size of the tile and grate.** A swale or grate in the finished drive may be necessary to divert water into the ditch. If this is necessary, some adjustment of the ditch grade may be required.

The street right-of-way generally extends 25 feet each way from the middle of the road. Irrigation equipment shall not be installed in the street right-of-way. The Public Works Department shall have the right to alter the right-of-way and shall not be responsible for replacing or maintaining anything, including but not limited to, rock, sod, shrubs, mulch, irrigation materials, etc. placed within the right-of-way with or without a permit, excluding driveways.

Once installed by the Public Works Department, removal of rock or gravel from the roadway, shoulder, ditch way or anywhere within the right-of-way is strictly prohibited without the written permission of the Public Works Department.

Should the homeowner wish to add rock or some other material to the ditch way, they may do so ONLY with the written permission of the Public Works Department. The Public Works Department will restore any unauthorized changes and materials within the street right-of-way and recover the costs from the responsible party.

NOTE: Written permit approval must be granted by the Public Works Department Director to install any drain tile on any lot in Tellico Village (except for driveway tiles, which will be reviewed as part of the permit application process).

(27) BLASTING

If blasting is necessary during construction, prior ACC approval will be required. A blasting permit application form can be obtained at the ACC Office. If blasting is anticipated, the request for approval should be included in the initial application for the building permit. Blasting required for footings, basements, utility installation, swimming pools, etc. should be coordinated and done at the same time.

The following rules shall apply:

Only a State of Tennessee licensed professional may do blasting. A copy of a current and valid license must be on file in the POA office or must accompany the application;

- Only a State of Tennessee licensed professional may do blasting. A copy of a current and valid license must be on file in the POA office or must accompany the application;
- The person or company doing the blasting must supply a certificate of liability insurance that is in compliance with state requirements;
- The blasting contractor must take precautions to ensure that all fly rock resulting from the blasting activity is safely contained;
- The blasting contractor shall comply with all local, state and federal regulations, statutes and ordinances and shall be responsible for any and all damages or losses resulting from such activity;
- In areas where blasting is anticipated, the Public Works Department will install the sewer system and water and sewer lines at the same time that the footings are being prepared. Any blasting expense incurred by the POA will be the responsibility of the property owner. Should blasting be required for the installation of the sewer or water lines, the property owner or contractor may (i) provide that service through their own blasting contractor, (ii) coordinate the work with the Public Works Department, or (iii) authorize the Public Works Department to arrange for the work through the POA's own contractor. If rock is encountered, it is recommended that provisions also be made for the installation of the electric, telephone, and TV cables at the same time.

NOTE: It has been determined that a significant amount of rock is prevalent in the Mialaquo Subdivision. The possibility of blasting should be considered when building in that area.

(28) CLEAR CUTTING, TREE REMOVAL AND BURNING

Clear cutting of any lot or selective cutting of trees (larger than six inches in diameter measured forty-eight inches from the ground) on any lot is prohibited until a proper permit has been obtained from the ACC. There is no charge for the permit, and it is not required in connection with a building permit.

- A **Minor Lot Clearing Permit** is required when clearing an undeveloped lot of undergrowth and trees with a trunk diameter of six inches or less (measured forty eight inches from the ground).
- A separate **Permit for Bulldozing Dead Pines** must be obtained before the removal of dead pine trees by bulldozer or similar manner. In many cases, it is considered safer to bulldoze dead pines rather than cutting them down, since they become brittle after a period of time.

- A **Tree Removal Permit** is required to remove trees on a lot where there is an existing home.

Open burning (fires) on private property in Tellico Village is prohibited at all times.

All debris from lot clearance or the removal of trees must be hauled away within thirty (30) days of commencement of the clearing / removal work.

(29) OTHER GENERAL CONSTRUCTION REQUIREMENTS

a. Licensed Professional

The terms "registered architect", "architect", "registered professional engineer", "engineer", "registered landscape architect", "certified building inspector" or "landscape architect" as used herein shall mean that such professional is licensed to practice or allowed to practice in the State of Tennessee. An approved Energy Auditor shall mean that such professional is licensed and has been approved by TVA. When such professional's design, inspection, certification, or approval is required, that professional's signed and dated seal shall be affixed to all applicable documents required to be submitted to the ACC.

State law requires that contractors be licensed by the State of Tennessee Licensing Board. A current copy of the contractor's license and worker's comp insurance policy must be on file at the ACC office.

b. Trash Containers

During all construction activities, the lot shall be kept neat and free of excess trash and building materials. TRASH MUST BE CONTAINED to prevent cans and bottles, paper, and any other materials from being blown from the site. Building debris shall be kept condensed and removed from the site on a timely basis. Trash containers, such as dumpsters, need to be emptied when the trash approaches 6 inches from the top of the container. Workers shall be cautioned about any intentional or unintentional littering while on the job or while traveling within Tellico Village. Litter violators will be subject to a fine of up to \$500.00 by the State of Tennessee.

c. Lot Line Markings

After a permit for any work has been issued, the side lot lines must be defined and maintained throughout the construction process with string, surveyor's tape, or other means. Further, all building activities and materials shall be restricted to the lot for which the permit was issued. Use of adjacent lots or common property for access to the building site is also prohibited. In rare instances in which it might be essential to use adjacent properties for access, prior permission from the property owner is required AND written proof of this permission must be submitted to the ACC Office. On waterfront lots the ACC requires iron pins set at the 820 MSL property corners and additional iron pins set where the projected shoreline strip property lines, as shown on the recorded plats, cross the 813 MSL.

d. Care of Streets

The streets and street right-of-way (including the ditch) must be kept clean and free from mud, rocks, concrete equipment washout and debris from the building site on a daily basis. To help keep streets clean, the contractor must cover the proposed driveway with crushed stone before construction commences and maintain it during the construction process. Excess concrete must be dumped on the job site and not on adjacent properties or in the street right-of-way. Any damage to the street or within the street right of way

must be promptly repaired. If necessary, the Public Works Director will take corrective action and will bill the contractor and/or property owner for all expenses involved in the clean up or repair. If there is an unpaid balance at the time final inspection is requested, final inspection will be withheld until the balance is paid. Failure to comply with this requirement can result in the suspension of the permit.

e. Toilet Facilities

Toilet facilities must be made available to the personnel on the building site and must be in place before the start of construction.

f. Warming Fires

On **COLD** days (below 50 degrees) between October 1 and April 30, **WARMING FIRES** will be permitted during the construction period under the **STRICT** requirements detailed below. ***Failure to comply with these requirements will result in the revocation of this privilege.***

- Fires must be contained in a barrel or other suitable container.
- Container must be situated no closer than 15 feet from other combustibles.
- Fires shall not be unattended or left burning after workmen leave the site.
- Only wood scraps may be burned. Under no circumstances can plastics, asphalt or other toxic and/or gas-producing materials be burned.
- Gasoline or other highly flammable liquids may not be used to start fires.
- If the fire department responds, a charge may be imposed against the contractor/property owner.

g. Parking at Construction Sites

Parking is limited to *one* side of the road to allow room for regular traffic, school buses and emergency vehicles to pass. Parking **MUST NOT** impede mail delivery.

h. Site Clean-Up

A final clean up is required, including the removal of all building materials, building debris, stumps, portable toilets, etc., before the final inspection will be completed.

i. Noise

Excessive noise on a construction site may be considered a nuisance. Loud music or broadcasts from radios, televisions, or other similar devices and loud, offensive or abusive language or behavior is strictly prohibited.

Construction noise outside of reasonable hours that causes a nuisance or an unreasonable disturbance to neighbors is prohibited except for unusual circumstances specifically authorized by the ACC. This requirement is not intended to prohibit work, but rather to limit noise.

Any construction activity that produces sufficient noise so as to unreasonably disturb neighbors during the hours stated below is prohibited. Prohibited noise shall include, without limitation, shouting, loud radios, hammering, and the use of power equipment from 9:00 PM to 7:00 AM each day from Sunday evening through Saturday morning and from 9:00 PM on Saturday evening until noon on Sunday. Exceptions will be granted for a limited period of time for special situations with ACC approval and

contractor notice to neighbors within 500 feet of the noise producing activity. Examples of permissible exceptions are to allow completion of a concrete pour for a foundation, basement slab or driveway, or a 2-3 day exemption to install a shingle roof during hours of daylight.

j. Liquid Containment

Construction liquids and all other construction materials shall be contained within the property. No runoff is permitted. Spills shall be contained and disposed of in a manner prescribed by local, state and federal laws.

Section D, Part I reviewed and revised 12/15/10

SECTION D, PART II – AESTHETIC AND POST CONSTRUCTION RULES, REGULATIONS AND STANDARDS

(30) RULES REGARDING SIGNS

a. General

Consistency in the regulation and control of signage throughout Tellico Village contributes to the aesthetics, and is therefore of much benefit to the entire community.

b. Definition

“Sign” means any identification, description, illustration, or device which is visible from any public place or is located on private property, is exposed to the public, and which directs attention to a product, service, place, activity, person, institution, business, or solicitation.

c. Restrictions and Regulations

Only the following signs are permitted in areas zoned Residential (as indicated upon the applicable recorded subdivision plat):

i) Developer Sales Signs: Signs erected by the Developer in connection with its sales program.

ii) Miscellaneous Signs: Except for signs installed by the Developer, only standardized yard, garage and moving sales, auction, and similar signs may be used.

- Signs are limited to one (1) per residence yard and must not exceed one (1) square foot in area.
- Signs may be in place 24 hours prior to the start of the sale and must be removed at the end of the sale.

iii) Open House Signs: Signs may be displayed only while the home is staffed by agents and is limited to one (1) sign per resident's yard.

- A reasonable number of directional signs may be used to provide directions to the open house, but shall not interfere with traffic safety, be hazardous to people on foot, or encroach upon neighboring or common property.
- Such signs shall not exceed five (5) square feet per side.

iv) POA Signs: Signs erected by the POA for the identification of streets, neighborhoods, recreation amenities, traffic control, directional purposes, safety, security, and building permits.

v) Signs of a temporary nature advertising property for sale:

- Signs shall not exceed one (1) square foot in area.
- A “Sale Pending” banner may be placed on the For Sale sign providing the overall size of the sign is not increased.
- Shall be limited to one (1) sign per lot or living unit. Signs shall be removed at the time of closing.
- Signs shall be self-supporting.

vi) Contractor Signs:

- Shall not exceed one (1) square foot in area.
- Shall be limited to one (1) sign per lot or living unit. Signs shall be removed when the final ACC compliance review is completed.

vii) Signs on Common Property: Such signs generally shall not be permitted except as provided in this rule above; however, an application may be considered by the ACC on its individual merit, and if approved, shall not be considered as a precedent. Approval shall be based on purpose, content, color, design, size and location.

d. Prohibited Signs

The following signs are specifically prohibited: **SOLD, FOR RENT, POLITICAL, AND ANY OTHER SIGN NOT SPECIFICALLY PERMITTED ABOVE.**

(31) MAILBOX RULES

Residential mailboxes and mounting posts will be of uniform type and design. The box and post will be supplied and installed by the POA. **The installation will take place after the ACC final compliance review has been completed on the home and permission to occupy has been granted by the ACC.**

The cost of a standard size mailbox and installation is included in the initial fees submitted with the home permit application. All boxes will be black in color. The following mailbox sizes are available: standard, large, and extra large. An additional cost will be charged for large and extra large mailboxes.

The mailbox post and paper box are to be the same color. If other than the original color of Navajo red, that color is to match the primary color or trim color on the front façade of the home most directly behind the mailbox. Mailbox posts and paper boxes in close proximity to each other must be the same color and follow the same guidelines as above. Mailboxes are the property of the property owner, and it is the responsibility of the property owner to repair, maintain and replace the box and support post in a safe, operable and neat condition.

(32) VEHICLE PARKING AND OUTSIDE STORAGE RULES

Objective: To maintain the aesthetics of the residential character of Tellico Village and to improve vehicular safety on all POA streets. For purposes of these rules, the term “**VEHICLE**” means any car, truck, motor home, van, motorcycle, boat, personal water craft, truck camper, fifth wheel or any other vehicle or vessel of any kind, whether personal, commercial, recreational or for some other use, as well as any equipment trailer, sports trailer or any other kind of trailer that is designed to carry or be pulled or towed by such a vehicle or vessel described above. The following rules shall apply to the parking and/or outside storage of vehicles and property by property owners and their guests, renters and other invitees:

- a.** The outside storage and/or “long-term” parking of Vehicles SHALL NOT BE PERMITTED within Tellico Village, except in approved storage areas. Any such vehicle that is unremoved and not used for its manufactured purpose for a period of thirty (30) consecutive days shall be considered parked on a long-term basis and in violation of this subsection.
- b.** Except as provided below in this subsection, no Vehicle shall be temporarily stored or parked on a driveway or paved parking area of a private residence for a period of more than seven (7) days within any thirty (30) consecutive day period, which seven (7) day limit may be extended for unusual circumstances upon written approval of the ACC Administrator. The preceding prohibition against “temporary” storage or parking shall

not apply, however, to standard cars, SUV's vans, pickup trucks and motorcycles that fit in a standard garage space (no more than 7 ft. high, 8 ft. wide and 22 ft. long) and are used on a regular basis for personal or family transportation, when such Vehicles are parked in a property owner's driveway and such temporary storage or parking does not exceed thirty (30) consecutive days.

- c. Vehicles used specifically for commercial purposes, including, but not limited to construction equipment, shall not be parked in a residential area other than for the purpose of accommodating current daytime work on a premise located in the residential area. Overnight parking of such vehicles is prohibited.
- d. No extended or overnight parking of any Vehicle shall be allowed on the street right-of-way or other common property unless prior approval is obtained from the Public Works Director.
- e. Parking of all Vehicles shall be on hard surface driveway areas except for brief periods of time for special events. Parking for such special events shall not exceed three (3) days in a thirty (30) consecutive day period unless permission is obtained from the ACC Administrator.

Failure to comply with these rules may result in the removal (towing) of the offending Vehicle, and/or the imposition of a personal charge (based upon the POA's cost associated with enforcing these rules) to be assessed against the owner of the lot upon which the rule violation occurs or, if more appropriate under the circumstances, the property owner who is responsible for the rule violation. Any towing or storage charges or cost assessments for the enforcement of these rules not otherwise imposed against a property owner, shall be the responsibility of the offending Vehicle's owner. Any personal charge imposed against a property owner for a violation of these rules shall be a lien upon the property owner's lot or unit and enforceable in the same manner as provided for by the Declaration and other governing documents of the POA for delinquent assessments.

Revised 12/15/10

(33) TRASH AND GARBAGE RULES

The waste contractor selected by the POA provides residential service for collection and recycling of household solid waste.

Containers shall not be placed for pickup prior to the day before the scheduled pickup and must be stored no later than the day after collection.

- Containers shall not be placed for pickup prior to the day before the scheduled pickup and must be stored no later than the day after collection.
- Trash containers must be stored to minimize visual impact to neighbors and must be kept inside garages, basements, or screened or fenced areas except as specified above.
- Containers must be maintained in good condition and replaced if damaged.

(34) CHILDREN'S PLAY AND RECREATIONAL EQUIPMENT

Objective: Play and recreational equipment restrictions are focused on larger items such as swing sets, slides, playhouses, sandboxes, trampolines and basketball backboards (smaller toys and riding vehicles are excluded). A permit for a spa/hot tub is required only if it will be placed out in the yard. No permit is required if it is to be placed on an existing deck or patio. For units placed on a deck, the owner is to insure the deck is structurally sound in order to support the weight of a filled unit. Appropriate isolation techniques are to be used to prevent vibration of the deck, which could result in noise pollution. Such equipment should be placed on the property away from the front of the house and other areas viewable from the street or golf course so as not to detract from the aesthetic attributes of the neighborhood. The equipment should also be maintained and used in a manner that does not create a nuisance or become unreasonably offensive to nearby neighbors. Where practical, landscape screenings should be employed for permitted equipment to minimize the equipment's visibility to neighbors and especially to protect views from the streets, golf courses and the lakeside. Permits for multiple pieces of such equipment on a single lot shall be reviewed on a case-by-case basis, but consideration may be given to the overall diminution of the aesthetic attributes of the neighborhood posed by the location and overall appearance of multiple pieces of such equipment.

Rules: A permit is required for play and recreational equipment that requires or covers a foundation or base area in excess of 30 square feet or exceeds six feet in height. Portable basketball backboards, volleyball nets, soccer goals and similar portable play and recreational equipment are exempt from this permit requirement. All play and recreational equipment, whether permitted or not, shall not be used in a manner that creates excessive noise or other nuisance to neighbors. Portable play and recreational equipment, whether permitted or not, shall be stored when not in use.

Play and recreational equipment that requires a permit shall be located in the side rear or back of the lot outside of the minimum setbacks (7½ feet from side lines and 20 feet from rear property line). Preference is a location that cannot be easily seen from the street (in other words, the house should be used as a screen). Additional landscaping to screen the equipment may be required as a condition for the issuance of any permit for such equipment on lots located on street corners, bordering golf courses or adjacent to the lakeside.

Basketball backboards may be located in front using the driveway as the court surface.

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Clear basketball backboards are preferred. Their location shall be either affixed on the garage or to the side of the drive and all such equipment shall be installed outside the minimum setbacks for the host property.

Brightly colored, shiny or reflective equipment that is large enough to require a permit is prohibited unless it is properly screened. Equipment made with natural wood colors or surfaces painted in earth tones (brown or green) are preferred, however, gray or galvanized surfaces are acceptable.

Playhouses that require a permit shall be regulated as an outbuilding (see Section D(11)) and must meet all applicable rules as if the structure were an outbuilding.

(35) RULES FOR LANDSCAPE ORNAMENTS AND STRUCTURES

Objective: Landscaping Structures and Ornaments installed on an owner's lawn should be restricted to a limited number of appropriately sized objects that are tasteful and are in harmony with the neighborhood and surroundings.

Rule: Landscaping Structures such as water fountains, waterfalls, flag poles, gazebos and planting structures like arbors and pergolas require a Miscellaneous Permit. Small lattice or trellises (4 foot maximum height) used to support plantings that are attached to the house or are within one foot of the building do not require a permit.

Permits shall be subject to the following requirements:

- Location of the structure(s) should be in the rear (yard) of the house with appropriate setbacks from the property lines (outside of the side utility easement and 7½ feet from the rear property line). Properties that adjoin golf course, common land or lakeside lots are likely to be more restrictive on placement and require additional landscaping or screening.
- Objects that require the purchase of materials and that are built on-site are preferred.
- Structure(s) should be a *visual asset* to the property and *not bring undue attention* as seen by neighboring properties or from the street, golf course or lake.
- Location of structures located in the rear setback area should be placed so as not to unreasonably block or limit neighboring properties' views of the lake, golf course and mountains.
- Colors and materials shall be muted, natural, not bright, nor reflective or metallic (except for metallic flag poles).
- All such structures must be maintained in good repair.
- Gazebos shall be constructed of materials and colors that fit with the main house and decking.
- Exterior construction using any pressure treated woods shall be stained in muted, natural colors or earth tones, and not left to weather permanently.

(36) HOME AND GROUNDS MAINTENANCE RULES

Objective: To present a neat appearance throughout the Village and to maintain Village properties in such a manner as to prevent their becoming unsightly or a health hazard.

a. Home Maintenance Rules

Each Homeowner shall properly provide for the exterior maintenance of the property owner's home as required by Article XII of the Declaration and in accordance with the following additional rules.

The homeowner shall properly maintain all exterior features of the home and dock, including outbuildings, mailboxes and mailbox posts. These rules are intended to provide minimum home maintenance requirements and to establish standards for the ACC to evaluate a homeowner's complaint against another homeowner for failing to properly maintain the property owner's home.

The ACC will use the following checklist when investigating complaints related to the maintenance of a property owner's home, each item of which constitutes a violation of these rules:

- 1) Widespread exterior paint deterioration that shows signs of blistering, peeling and severe fading.
- 2) Loose and/or hanging trim, guttering or downspouts.
- 3) Exterior finish that shows clear and widespread signs of accumulated dirt, soil or mildew.
- 4) Missing brick or siding, flaking or deteriorating stucco or rotting wood.
- 5) Loose, dangling or damaged roof shingles on the house or dock; loose or damaged chimney.
- 6) Termite infestation that has impacted the subject home and threatens neighboring homes.
- 7) Excessive structural deterioration of wooden deck or dock, such that the deck has pulled away from the house; either the deck or dock has missing railings or planks; deck stairs that have deteriorated to the point of being unsafe.
- 8) Excessive cracking and uplifting of driveway or patio.
- 9) Broken or missing window panes. Boxes and other material stacked inside against an exterior window(s) that is visible from the street or neighboring homes; window covering material other than a customary blind or curtain.
- 10) A satellite dish that is loose from its mounting and dangling.
- 11) Excessive untidiness around house and/or porch, deck, patio or dock including (but not limited to) home, lawn and garden equipment, implements or supplies or marine equipment or supplies.
- 12) Deteriorating wood surfaces on decks, fences and docks. All wood surfaces must be maintained in good condition. Periodic maintenance of wood surfaces is required, i.e., staining, painting, pressure washing, etc.
- 13) Unsightly roofs because of deterioration, mold or mildew.

b. Grounds Maintenance Rules

Each Homeowner shall properly provide for exterior maintenance of the property owner's grounds as required by Article XII of the Declaration and in accordance with the following additional rules.

Homeowners shall keep their property and all improvements thereon in good order and repair, including but not limited to the seeding, watering and mowing of all lawns, the pruning and cutting of trees and shrubbery in a manner and with such frequency as to

maintain the lawn and landscaping in a neat and orderly condition. This rule does not apply to unimproved lots that are maintained in a natural or rustic state. Whatever method(s) of landscaping a homeowner chooses, homeowners have an obligation to neighbors and the entire Village to keep the lot and the improvements upon it properly maintained and in harmony with the neighborhood.

- **Initial Landscaping:** In completing a new home, and as part of the final inspection, action must have been taken to establish ground cover on the lot area outside the house footprint that was disturbed during construction. Seed and straw, sod, mulch or gravel must be placed on the cleared area around the new house. For the undisturbed portion of the lot, the property owner may clear it and cultivate it as long as the basic ground cover requirements noted in this section are met. Alternatively, the property owner may allow undisturbed areas to be left in a natural state as provided in this section. Ground coverage must be established and maintained within the 90 days after the final inspection. (Note: on TVA property where permission has been given to disturb the soil, ground cover must be established within 30 days).
- **Mowing and trimming:** Turf areas and lawns shall be mowed at regular intervals, maintaining a maximum height of six inches. Property owners are expected to pick up and properly dispose of visible accumulations of grass clippings. Clippings shall be bagged and placed for proper disposal.
- **Lawn and garden care:** Shrubbery and planted beds must be maintained in a neat and orderly manner.
- **Natural areas:**
Objective: The use of existing natural, or rustic growth areas, as part of the landscape design of an improved lot may be acceptable. When used, these areas should be selectively pruned and weeded so as not to encroach upon landscaped or planted areas. These natural areas should be maintained by selective cleaning, removing of dead growth, weeds and unsightly vegetation so as to produce an appearance of modest cultivation that blurs the line between man-made elements and the natural environment.

Rule: Natural or rustic growth areas on improved lots that are overgrown, encroach into landscaped or planted areas or that are determined by the ACC to be visibly unsightly are prohibited. Fallen trees as well as branches must be removed (no burning allowed). All natural or rustic areas on improved lots that are overgrown so as to act as a fence or visual screen are prohibited.

- **Trees:** Trees shall be maintained, including removing dead limbs that pose a danger to neighbors or structures on adjoining lots. Topping of deciduous trees is not permitted. Trees severely damaged by storms or other causes or certain trees under other obstructions where good pruning practices are impractical may be exempted from the topping prohibition provided a permit is first obtained.
- **Landscaped Areas:** All landscaped areas shall be maintained in a weed-free, neat and orderly condition and shall be kept clear of undergrowth.

These rules are intended to provide minimum grounds maintenance requirements and to establish standards for the ACC to evaluate a homeowner's complaint against another homeowner for failing to properly maintain the property owner's grounds. The ACC will use the following checklist when investigating complaints related to the maintenance of a property owner's grounds, each item of which constitutes a violation of these rules:

- 1) Trash and litter in yard.
- 2) A grass yard that has gone to seedlings and/or weeds, and/or shows excessive areas of exposed dirt. Mulch areas that have deteriorated; weeds have taken over; small trees and/or plants that have grown wild and/or are in a neglected state.
- 3) Fallen or dead tree(s); excessive buildup of leaves and tree branches.
- 4) Broken and neglected lawn ornaments and/or landscaping structure.
- 5) Deteriorating or inoperable vehicle left in driveway or a deteriorating or inoperable boat left in dock slip.
- 6) Visible clotheslines, poles or other devices for exterior clothes drying are prohibited.
- 7) Holiday decorations and lighting shall be installed no earlier than 45 days prior to the holiday and shall be removed no later than 30 days after the holiday.

(37) CLEAR CUTTING, TREE REMOVAL AND BURNING

Tree cutting and removal is prohibited in Tellico Village under certain circumstances, even after completion of the home on the lot. Open burning is also prohibited on lots. Please refer to **Section D(28)** for the applicable rules regarding these prohibited activities.

(38) HOME OCCUPATION PERMITS

No business can operate in a residential area. However, the Declaration empowers the ACC to permit some home occupations. All permits of this nature are to be submitted to the ACC Permit Office. The nature of the home occupation must be described on the permit application in sufficient detail for the ACC to review the permit. The intent of this permitting process is to allow home businesses in Tellico Village that are invisible to neighbors and which do not create any extraordinary traffic within Tellico Village. Among the rules pertaining to Home Occupations are the following:

- a. No signs advertising the occupation that are visible to the public are allowed.
- b. No vehicles or equipment shall be conspicuously parked or placed on property as a means to advertise the occupation.
- c. No equipment peculiar to the occupation will be either visible or audible to other property owners.
- d. No excessive deliveries or shipments by package services are allowed.
- e. The permit lasts for the duration of the operation of the occupation.
- f. Such home occupations shall comply with all applicable laws.
- g. Any change in the nature of the occupation requires a new permit.

A permit for a home occupation is subject to review and revocation by the ACC any time a rule violation is noticed. As stated in the Protective Covenants, the Developer, in furtherance of its sales program, is exempt from this rule.

(39) DAMAGED AND DESTROYED PROPERTY RULE

Background: As stated in Section 29 of the Protective Covenants of the Declaration, one of the primary purposes of the Tellico Village Property Owners Association, Inc. (the "POA") and its Architectural Control Committee (the "ACC") is to "protect the aesthetics and property values of the [Village] and the health, safety and welfare of all of the Owners therein as a community of interests." One important tool in maintaining property values in Tellico Village is Article XII of the Declaration, which empowers the POA to provide for exterior maintenance of any Lot or Living Unit when the owner fails to properly provide for such maintenance. In situations where a property owner's residence or other structure is damaged or destroyed by wind, fire, flood or any other casualty or event, the failure of the property owner to properly secure, repair or replace the damaged or destroyed structure and affected property can materially harm the values of adjoining property and pose other health and safety risks to Tellico Village residents and guests. The POA desires to clarify its authority to require the maintenance, repair and remediation of any damaged or destroyed Lot or Living Unit and prevent related safety concerns where the property owner fails to properly secure, repair or replace damaged or destroyed structures in Tellico Village. Accordingly, pursuant to Article XI of the Declaration of Covenants and Restrictions of Tellico Village and other general rulemaking authority of the POA, the following rule is hereby adopted by the ACC and the Board of Directors of the POA:

GENERAL RULE: Any property owner whose Lot or Living Unit is damaged or destroyed by wind, fire, flood or any other casualty or event, shall promptly take such action as may be reasonable under the circumstances to secure and safeguard the property so as to prevent any dangerous or nuisance condition that might (i) pose health or safety risks to adjoining or surrounding properties or the affected neighborhood or (ii) otherwise result in the devaluation of the property values in such area. If the damaged or destroyed structure is to be repaired or rebuilt, the property owner(s) of any such damaged or destroyed Lot or Living Unit shall also promptly apply for an ACC permit (for which all POA permit review fees shall be waived) to repair or rebuild the damaged or destroyed structure. In such event the repaired or rebuilt structure shall comply with all current POA rules and regulations unless otherwise waived by the ACC. Construction for the repair and replacement of such damaged or destroyed structures shall commence as soon as practical, but in no event less than ninety (90) days after the event causing the damage or destruction occurs unless application for an extension of time is filed by the property owner with the ACC and approved.

CORRECTIVE ACTION BY POA: In the event the property owner fails to remediate any resulting safety or nuisance concerns or fails to complete the needed repairs or replacement in accordance with this rule, or fails to commence appropriate action as may be reasonable under the circumstances as determined by the POA, the POA may, but shall not be obligated to, take such action as it determines to be reasonable under the circumstances to prevent or mitigate any safety concerns or nuisance resulting from the damage or destruction to the affected Lot or Living Unit and repair the damaged or destroyed structures. Before taking any such action, the POA shall give the property owner(s) at least five (5) days prior written notice (or if required under the circumstances because of safety concerns upon such shorter notice that is reasonable under the circumstances) of the POA's planned actions relative to the affected Lot or Living Unit. In

the event a structure is damaged beyond repair and the owner fails to demolish and remove the damaged structure within sixty (60) days, the POA may upon ten (10) days prior written notice to the affected property owner(s), clear the Lot or Living Unit of all remaining debris, remove any exposed foundations, fill any basements, swimming pools or other low areas that present safety concerns, properly secure the damaged area to prevent any safety concerns, and seed and straw the affected Lot or Living Unit and establish a suitable ground cover.

ASSESSMENT OF COSTS: The cost of any exterior repair and remediation or prevention of safety or nuisance concerns described in this rule that are incurred by the POA in connection with a damaged or destroyed Lot or Living Unit shall be assessed as a Personal Charge by the Association against the Lot or Living Unit upon which such repair or remediation is undertaken and shall be added to and become a part of the Annual Assessment to which such Lot or Living Unit is subject. As a part of such Annual Assessment, the Personal Charge shall be a lien upon such Lot or Living Unit until paid, subject, however, to any prior lien by reason of a first mortgage or first deed of trust, and shall become due and payable in all respects as provided in the Declaration for assessments.

(40) BRUSH/LEAF REMOVAL POLICY

The Public Works Department provides brush removal service for Village residents February through October. Leaf pickup service is provided November through January. On undeveloped lots, a no-fee permit is required for minor lot clearing and removal of the debris is the responsibility of the property owner.

The Public Works Department has established a monthly schedule in which they will visit each community within the village and remove the brush/leaves. The schedule begins the first full week of each month:

Week 1: Kahite, Mialaquo, Chatuga

Week 2: Toqua (Hills, Greens, Shores, and Point)

Week 3: Toqua Coves, Chota Shores and Tanasi (all areas)

Week 4: Chota (Hills and Woods), Tommotley, and Coyatee.

Brush should be at least three feet long, no more than six inches in diameter, and free from any metal objects. Piles should be placed along the street right-of-way in front of your home the week prior to the scheduled pick-up. No household trash, building materials, or metal items will be picked up. Plants with root balls will not be picked up because of potential damage to equipment. Leaves for pickup must be in piles without other debris.

The Public Works Department does not pick up grass clippings placed in the street right-of-way. Grass clippings must be bagged and put out for regular trash pickup no more than one day prior to the scheduled pickup.

For any questions regarding this policy please contact the Public Works office at (865) 458-4522. Questions regarding tree or brush removal below the 820' elevation must be directed to the TVA office in Lenoir City at (865) 632-1301.

Section D, Part II, reviewed and revised 12/15/10

SECTION E - ENFORCEMENT AND APPEALS

(1) GENERAL

The Rules, Regulations and Standards contained in this handbook have been adopted by both the ACC and the POA. To the extent any rule, regulation or standard in this handbook is outside the authority of the ACC, the POA has expressly adopted that requirement as a general rule of the POA and delegated initial enforcement of the rule to the ACC and the POA's Public Works Department in accordance with the requirements of this section. The Rules, Regulations and Standards contained in this handbook do not include all of the POA's rules and regulations related to the governance of Tellico Village, and the POA and ACC reserve the right to promulgate additional rules, regulations and standards to properly regulate, control and restrict activity or conduct not covered by the Rules, Regulations and Standards contained in this handbook. The POA and ACC also reserve the right to amend, rescind or waive the Rules, Regulations and Standards in the future when doing so is in the best interest of Tellico Village. The delay or failure by the POA or ACC to enforce in any one or more instances any Rule, Regulation or Standard contained in this handbook shall not be construed as a waiver of the POA's or ACC's future ability or right to enforce the same. If any Rule, Regulation or Standard contained in this handbook, or any part of any provision thereof, shall be invalid or unenforceable under applicable law, said Rule, Regulation or Standard or the applicable part thereof shall be ineffective to the extent of such invalidity only, without in any way affecting the remaining Rules, Regulations or Standards or parts thereof.

(2) ENFORCEMENT

Enforcement by the POA and ACC of the Rules, Regulations and Standards contained in this handbook (the "Rules") shall comply with the requirements of this section. All Rules prescribed in this handbook may be enforced by the POA and ACC in the same manner as any violation or threatened violation of the Declaration, including, but not limited to, the lien rights of the POA for any costs or charges incurred in connection therewith.

With the steadily increasing number of building permits issued, enforcement of the Rules becomes of greater importance to property owners because of safety issues as well as aesthetic concerns for Tellico Village. The POA recognizes the need for enhanced enforcement during the construction period. Therefore, it has instituted a three (3) part program further described below to minimize, and ultimately eliminate, ongoing construction period violations that consists of regular site compliance checks, notification and sanctions for continued violations. Violations of the Rules after the construction process will also be handled in a similar manner.

a. Site Compliance Checks

An authorized representative of the POA will make regular, but randomly, scheduled compliance checks of permitted construction sites. The representative will look for rule violations such as, but not limited to: fires, mud on roads, trash collection, toilet facilities, silt fences, encroachment on adjacent lots, common property, final clean-up, etc. These compliance checks are NOT conducted to check compliance with building codes and standards. Site Compliance checks may also be conducted by POA representatives after the construction process is complete to assure that the property owner continues to comply with the Rules. Such compliance checks may be initiated by the POA as part of its regular compliance program or as a result of a property owner complaint.

b. Notifications

Notice of any violations will be provided by the POA representative, who will notify the general contractor and/or property owner by phone, if possible, of the allowable period of time to correct or cure the violation (as determined in accordance with the guidelines specified in the Table of Violations). This notification may be followed up with a letter from the POA to the contractor and/or property owner. Should the contractor or property owner fail to promptly correct the violation after receiving a verbal or written notification, the POA may by written notice assess a non-compliance charge as provided below.

c. Penalties

Where applicable, non-compliance charges(s) will be based upon the cost incurred by the POA in its efforts to investigate and bring about a cure for the violation. This recovery of cost charge will normally range from a minimum of \$50.00 to a maximum amount equal to the total costs to the POA, including attorney fees. **All non-compliance charges must be paid before the ACC will issue its final written compliance review, which is required before a house may be occupied. Failure to pay a non-compliance charge that is assessed after the final compliance review is complete may result in the suspension of membership privileges in the POA for the property owner or other legal action.**

A "Table of Violations" listing the class of each violation (A, B or C) and period to correct or cure the violation can be found on the following pages. Type A violations do not generally involve a permit. Type B violations generally involve a permit and require ACC approval. Type C violations involve a permit and require ACC approval and also are violations that involve health or safety concerns or a willful disregard of the Rules or instructions related thereto.

Upon failure to correct the violation(s) the construction permit may be revoked and physically removed from the site by order of the POA. In the event the permit is revoked, all construction at the site shall cease. Continuation of construction after the revocation of the construction permit will result in additional legal action against the contractor and/or property owner.

d. Reinstatement of a Revoked Construction Permit

Reinstatement of a revoked construction permit requires:

- Correction of the violation(s) cited.
- Re-inspection.
- Paying a reinstatement fee of \$500.00 to the POA.

In the event of subsequent violation(s) on a given site, the same procedure described above applies; however, a reinstatement payment of \$1,000.00 for the second and \$1,500.00 for the third violation may apply. Further violations may result in additional legal action as provided under law and the loss of membership privileges in the POA for the property owner.

Contractors who prove to be habitual violators will be subject to additional review and may also be subject to additional performance security requirements on future permit applications.

e. Appeal of Enforcement Actions

Any action by a POA representative under the provisions of this section may be formally appealed by the contractor or property owner as provided herein. The affected contractor or

property owner shall first appeal the decision of the POA staff member to that staff member's

supervisor, which in most cases will either be the ACC Administrator for ACC staff members or the Public Works Director for staff members of the Public Works Department. Such appeal must be made in writing (via letter, fax, or electronic mail) within five (5) business days of the staff member's action giving rise to the contractor's or property owner's appeal. The POA supervisor will promptly review the matter and if possible attempt to resolve the issue at that level.

In the event the action of the POA staff member is affirmed by the POA supervisor, a written notice to that effect will be issued by the POA to the affected contractor or property owner stating the basis for the supervisor's decision. Upon receipt of such notice, the affected contractor or property owner shall have ten (10) business days to appeal that decision in writing to the ACC, which shall schedule the matter for review at one of its regular meetings within thirty (30) days after its receipt of the written appeal notice. At such review the affected contractor and/or property owner, as well as the POA supervisor or his or her designee, shall be given an opportunity to present their respective positions on the appeal. After hearing from the affected parties on the appeal and concluding its deliberations on the matter, the ACC may affirm the initial action giving rise to the appeal, modify it or overturn it based on its determination of the facts giving rise to the appeal and its interpretation of the Rules. Any final decision of the ACC may then be appealed to the POA Board of Directors by the affected contractor or property owner in accordance with **Section E(3)** hereof, but only after the ACC has first considered the matter.

During the course of any appeal under this section, the POA may, in its sole discretion, temporarily suspend the imposition of any non-compliance charge or other enforcement action until the appeal process is complete, but such suspension shall not be required. The POA may also grant extensions of time for any filing deadlines required hereunder for good cause or hardship situations, as determined by the POA in its sole discretion.

Table of Violations

Sect	Para	Blue Book Regulation	Class	Cure Period
D	(1)	Permits: Construction start or lot clearing without permit in place Deliberate avoidance of permit or failure to cease work	B C	Stop work, 5 days to apply for permit. Restoration cure period as required by ACC Administrator. Legal action to prohibit construction
D	(3)	Aesthetic Design: All buildings and structures shall meet the minimum requirements for aesthetics as established by the ACC, including, but not limited to, the following:		
	(3)b.	Materials	B	30 days
	(3)e.	Location	B	30 days
	(C)11.	Outbuildings	B	30 days
	(3)c.	Colors	B	30 days
D	(4)	Time for Completion: Failure to start w/in 45 days (one 15-day extension with ACC Administrator's approval Structure not completed within 12 months Basic Landscaping not completed within 18 months)	B B B	7 days 30 days 30 days
D	(5)	Energy Conservation: Failure to obtain certified Energy Audit	n/a	Non-issuance of Building Permit
D	(7)	Plot Plan Requirements:		
	(7)d	Failure to stake house corners & defining Lot Lines prior to pouring footings	B	7 days
	(7)d	Failure to submit surveyor's as-built footing confirmation Within 5 working days	B	7 days
	(7)e	Failure to submit final as-built survey with Final Inspection [see also C(3) Time for Completion]	B	14 days
D	(13)	Swimming Pools:		
		Construction w/o permit	B	[see C(1) above]
		Failure to comply with ACC approval	B	60 days
D	(15)	Fences		
		Construction w/o permit	C	Stop work if not complete. 5 days to apply for a permit.
		Failure to comply with ACC approval	B	30 days
D	(16)	Retaining Walls: Failure to provide registered professional engineer certification upon completion of walls over 3' in height.	B	14 days

Table of Violations

Sect	Para	Blue Book Regulation	Class	Cure Period
D	(19)	Propane Tank:		
		No permit obtained - above ground or buried tank	B	5 days to apply for permit
		Failure to comply with ACC approval	B	30 days
		Screening incomplete (above ground tank)	A	30 days
D	(20)	Radio & TV Antenna:		
		No permit	B	
		Failure to comply with ACC approval	B	30 days
D	(21)	Irrigation Systems:		
		No permit	B	
		Failure to comply with ACC approval	B	30 days
D	(23)	Erosion Controls: Failure to have controls in place prior to start of construction	B	3 days (restoration cure separate)
D	(35)	Landscape Structures:		
		No permit	B	
		Failure to comply with ACC approval	B	30 days
D	(26)	Street ROW: Failure to keep vehicles parked so as to permit access by emergency and Postal vehicles	C	Immediate, otherwise pull permit
D	(27)	Blasting: Failure to obtain permit, lacking licensed professional and/or proper safety precautions in place	C	Immediate, otherwise pull permit
D	(29)	Other Site Requirements:		
	B	No trash containers or daily cleanup procedures in force	B	5 days
	C	Failure to mark lot lines	B	
	C	Trespassing on adjacent property for construction activities	C	As fast as possible, otherwise pull permit (restoration separate)
	D	Lack of gravel on-site and streets covered w/ mud, debris, etc.	B	1 day, otherwise stop work order
	E	Lack of toilet facilities	B	3 days, otherwise stop work order
	F	Burning, other than for warmth and in proper container	C	Immediate, otherwise pull permit
	G	Improper parking	B	
	H	Failure to complete final site cleanup	B	Withhold Permission to occupy
	I	Loud noises, foul or abusive language	B	Immediate, otherwise pull permit
	J	Proper Containment of liquids and materials	C	Immediate, otherwise pull permit
D	(9)	Occupancy prior to completion: Occupancy prior to Final	C	1 day or face legal action.

Table of Violations

Sect	Para	Blue Book Regulation	Class	Cure Period
D	(30)	Violation of Sign rules:	A	Immediate removal
D	(31)	Violation of Mailbox rules:	A	10 days
D	(32)	Violation of Vehicle & Other Property Parking & Storage rules:		
		Overnight parking on street right-of-way or common property	A	1 day
		Overnight parking of commercial vehicles	A	1 day
		Other parking or storage violations	A	5 days
D	(33)	Violation of Trash and Garbage rules:	A	Immediate removal
D	(36b)	Violation of Ground Maintenance rules:		
		Mowing	A	5 days
		Major Maintenance	A	30 days
	1	Unsightly trash or liter in yard	A	15 days
	2	Widespread deterioration of grass, yard, mulch beds, plantings	A	30 days
	3	Fallen or dead trees, excessive accumulation of leaves, branches	A	30 days
	4	Broken/neglected lawn ornaments, moveable landscaping structures	A	7 days
		Major landscape structures (e.g., rock or wooden tie wall, etc.)	A	30 days
	5	Deteriorating: vehicle in driveway or boat in slip	A	5 days
	6	Visible clothes line	A	7 days
	7	Holiday decorations	A	7 days
D	(36a)	Violation of Home Maintenance rules:		
	1	Widespread paint deterioration	A	30 days
	2	Loose/hanging trim, guttering, downspouts	A	30 days
	3	Widespread signs of accumulated dirt, soil on exterior	A	30 days
	4	Missing brick, siding or deteriorating stucco, rotting wood	A	30 days
	5	Loose or damaged roof shingles, house vents or chimney	A	30 days
	6	Termite Infection	A	Start within 7 days, comply in 30
	7	Widespread deterioration of wooden deck or dock	A	90 days
	8	Widespread cracking, uplifting of driveway	A	90 days
	9	Broken or missing windowpanes	A	30 days
		or visible materials stacked inside	A	5 days
	10	Dangling satellite dish	A	30 days
	11	Excessive untidiness around house or dock	A	15 days
	12	Deteriorating surfaces on decks, fences and docks	A	30 days
	13	Unsightly roofs	A	90 days

(3) APPEALS TO THE POA BOARD

The Declaration provides property owners with an appeal to the POA Board of Directors for actions taken by the ACC. The following rule has been adopted by the POA Board of Directors to govern such appeals:

a. Right of Appeal

Any final action of the Architectural Control Committee ("ACC") may be appealed to the Board of Directors ("Board") of the Tellico Village Property Owners Association, Inc. ("POA") by any member of the POA by filing an appeal as provided below.

b. Appeal to the Board of Directors

An appeal shall be in writing, signed by the member and set forth the following:

- i. The specific action complained of and the date of the meeting when such action was taken.
- ii. The reasons for the appeal of such action.
- iii. The specific action requested to be taken by the Board of Directors.

c. Time of Filing of Board Appeal

An appeal shall be filed in the principal office of the POA within fifteen (15) business days following the date of the meeting when such action was taken.

d. Processing a Board Appeal

Upon receipt of an appeal, the General Manager shall determine if the appeal was properly filed and notify the appealing member of any deficiency. If the appeal is properly filed, the General Manager shall furnish a copy of the appeal to the ACC and any POA member specifically and individually affected by the appeal as determined by the General Manager. Provided, however, in the event more than three (3) additional property owners are affected, the General Manager may choose not to furnish a copy of the appeal but instead issue a general notice regarding the appeal and informing those interested in the appeal that they may obtain a copy of the appeal by requesting it in person at the POA office.

The General Manager shall promptly collect and review all pertinent information and prepare a report to the Board regarding the appeal. The Board will then make a decision on the merit of the appeal and inform the appellant of its decision.

e. Hearings for Board Appeals

As appropriate, the General Manager will cause appeals to be placed on either the next special session or regular meeting agenda of the Board, or if the General Manager determines that additional time is required to give the affected parties adequate notice, he may schedule the appeal for the following special session or regular meeting agenda. The appealing POA member, the ACC and any POA member required to be furnished a copy of the appeal shall be notified of the time and place of such meeting and each party shall be given an opportunity to be heard. The appealing member, the ACC, and any party required to be furnished a copy of the appeal shall furnish written statements in support of their position to the General Manager five (5) days prior to the scheduled hearing so that the Board shall have sufficient time to review all submittals prior to the hearing. Other property owners who may be affected by the decision but who are not required to be provided copies of the appeal are also entitled to provide written statements to the Board as provided above.

At the Board meeting designated for the hearing, the appealing party shall present that party's information and position first; the ACC shall present information regarding the action and position of the committee; POA staff members may present information if deemed necessary; and any other POA member required to be furnished a copy of the appeal may present his/her information. Other property owners who may be affected by the decision but who are not required to be provided a copy of the appeal may also be permitted to present information when permitted by the Board, but subject to its time restrictions or the requirements for the appointment of one or more designated speakers when necessary to facilitate an orderly hearing of the appeal.

If new or additional information is presented to the Board by the appealing party that has not been previously submitted as required above, the matter may be sent back to the ACC for review and further consideration.

f. Board's Decision on Appeal Extensions

The decision of the Board regarding an appeal under this rule shall generally be made no later than seventy-five (75) days after the receipt of the appealing party's request for review, unless special circumstances require an extension of time for processing, in which case a decision shall be rendered as soon as practically possible. If special circumstances require that the decision will be made beyond the initial time for furnishing the decision, written notice of the extension shall be furnished to the appealing party prior to the commencement of the extension. Any appeal that is extended twice at the request of the appealing party shall be scheduled for final hearing on the third date and without allowance for additional extensions except at the request of the General Manager. The Board's decision on the appeal shall be in writing and shall be furnished to the appealing party and the ACC.

g. Final Decision

Decisions made by the ACC on matters where no appeal to the Board is requested and decisions by the Board on matters where appeal is requested shall be final, binding and conclusive on all interested parties.

h. Amendments; Waiver

The Rules prescribed in this Enforcement and Appeals section may be revised, amended, supplemented or otherwise changed from time to time by action of the Board should the Board determine that such action is in the best interests of the members of the POA. The Board specifically reserves the right to waive informalities or non-conformities to the requirements of this appeals process when the Board determines that such waiver did not or will not result in unfair or biased treatment of any matter under review by the Board.

SECTION F – ACC REVIEW FEE SCHEDULES

NOTE: BUILDING PERMIT FEES CHARGED BY THE JURISDICTION DOING CODE INSPECTIONS ARE IN ADDITION TO THE FOLLOWING POA CHARGES.

<u>TYPE OF REVIEW PERMIT</u>	<u>FEE AMOUNT</u>
1. NEW HOME CONSTRUCTION	25 CENTS PER SQ. FT. OF ALL Enclosed Areas under roof. If multiple floors, include each floor's area.
2. CHANGE OF EXTERIOR SPECIFICATIONS OR PLOT PLAN DURING CONSTRUCTION One Permit Change Request per job will be allowed at no charge.	CHANGE MUST BE SUBMITTED TO AND APPROVED BY A.C.C Beginning with the 2nd Permit Change Request, there will be a \$50.00 charge.
3. A. REPAINT EXTERIOR-EXISTING COLOR B. REPAINT EXTERIOR-NEW COLOR	NO PERMIT REQUIRED PERMIT REQUIRED, <u>SEE MISCELLANEOUS FEE SCHEDULE ON NEXT PAGE</u>
4. REMODELING AND ADDITIONS A. INTERIOR ONLY B. EXTERIOR WORK AND <u>ALL MISCELLANEOUS PROJECTS</u>	NO PERMIT REQUIRED PERMIT REQUIRED; <u>SEE MISCELLANEOUS FEE SCHEDULE ON NEXT PAGE</u>
5. IRRIGATION SYSTEM	PERMIT REQUIRED; \$50.00 FEE
6. MINOR LOT CLEARING, TREE REMOVAL OR BULLDOZING PINES	PERMIT REQUIRED; NO FEE
7. PROPANE TANK	PERMIT REQUIRED; \$50.00 FEE
8. IN-HOME OCCUPATION PERMIT	PERMIT REQUIRED; \$50.00 FEE
9. SHORELINE STRIP REQUESTS A. BOAT DOCK; SEAWALL; RIP RAP; GEO-THERMAL UNITS	\$75.00 FOR ALL COMBINED REQUESTS
B. IF SUBMITTED INDIVIDUALLY:	
1. BOAT DOCK	\$75.00
2. SEAWALL	\$75.00
3. DREDGING	\$75.00
4. RIP-RAP**	\$50.00
5. WATER INTAKE SYSTEM	\$50.00
6. GEO-THERMAL SYSTEM	\$50.00

A \$200.00 FEE IS REQUIRED BY TVA FOR ALL 26A APPLICATION FORMS SUBMITTED **EXCEPT RIP-RAP. THIS FEE IS IN ADDITION TO THE POA FEES SHOWN ABOVE.

ANY EXTERIOR PROJECT(S) STARTED AFTER SUBMISSION OF THE FINAL SURVEY WITHOUT FIRST OBTAINING THE REQUIRED, PROPER PERMIT WILL BE SUBJECT TO A MINIMUM FEE SURCHARGE OF NOT LESS THAN \$200.00 NOR MORE THAN \$1,000.00, IN THE SOLE DISCRETION OF THE ARCHITECTURAL CONTROL COMMITTEE.

RESIDENTIAL MISCELLANEOUS PERMIT REVIEW FEE SCHEDULE

**NOTE: BUILDING PERMIT FEES CHARGED BY
THE JURISDICTION DOING CODE INSPECTIONS
ARE IN ADDITION TO THE FOLLOWING POA CHARGES.**

<u>Total Valuation</u>	<u>Fee</u>
\$1,000 and less	No fee, unless inspection is required, in which case a \$25.00 fee for inspection shall be charged
\$1,000 to \$50,000	\$25.00 for the 1 st \$1,000, plus \$5.00 for each additional thousand or fraction thereof, to and including \$50,000
\$50,000 to \$100,000	\$270.00 for the 1 st \$50,000, plus \$4.00 for each additional thousand or fraction thereof, to and including \$100,000
\$100,000 and up	\$470.00 for the 1 st 100,000 plus \$3.00 for each additional thousand or fraction thereof, up to a maximum fee of \$1,500

New Home Checklist for Properties in Loudon County

Underlined items must be submitted with house package

(Fees are subject to change. Contact the ACC office for current fees)

Item	Fee Amount
1. <u>Application Forms</u> (completed and signed)	
2. <u>ACC Review Fee</u> (25 cents per sq. ft. for <u>all enclosed areas under roof</u> . If multiple floors, include each floor's area for this fee.) (Check made payable to T.V.P.O.A.) _____ sq. ft. x .25	
3. <u>Utilities:</u> (A <u>separate</u> check made payable to T.V.P.O.A.)	
A. Sewer Facilities Assessment	<u>\$300.00</u>
B. Water Connection Assessment	<u>\$450.00</u>
C. Sewer Connection Assessment	<u>\$450.00</u>
D. Sewer, Water and Mailbox Installation	<u>\$6,375.00</u>
Includes costs of materials and labor. An extra charge may be imposed in instances where excessive costs are incurred due to house location, rock, topography, etc.	
Total for above items <u>excluding the building permit:</u>	<u>\$7,575.00</u>
4. <u>Loudon Utilities Board:</u> Electrical Fee \$160.00; Water Facility Charge \$167.00 (Make check payable to LUB)	<u>\$327.00</u>
5. <u>Plot Plan:</u> one original required with <u>original signature</u> of properly licensed surveyor. Plot <u>must</u> contain all of the required information noted in Section D of Blue Book.	
6. <u>Drainage Plan:</u> one copy of plot plan showing how you plan to control drainage. Indicate water flow direction with arrows; swales, leaders, grate in driveway, etc.	
7. <u>House Plans</u> one set required, 11" x 17" size with graphic scales on each page	
8. <u>ACC Specification Sheets</u> with color samples attached.	
9. <u>Engineer's Plans</u> - must be submitted for retaining walls and earth-sheltered homes	
10. <u>Waiver of Bond Form</u>	
11. <u>Cable TV Form</u>	
12. <u>Proof of Lot Ownership</u> (if not in POA records yet)	
13. Proof of Builder's Risk Insurance – <u>must have lot, block, subdivision and address.</u>	
14. Proof of Worker's Comp. Insurance (or Affidavit of Exemption for qualified applicants)	
15. T.V.A. Energy Compliance Letter	
16. Performance Bond/Letter of Credit - provided by a financial institution. (The amount must equal \$35/sq. ft. x heated square footage)	
17. Scheduling of Pumped Effluent Sewer System form – take to Public Works office	

New Home Checklist for Properties in Monroe County - Kahite

Underlined items must be submitted with house package
 (Fees are subject to change. Contact the ACC office for current fees.)

Item	Fee Amount
1. <u>Application Forms</u> (completed and signed)	
2. <u>ACC Review Fee</u> (25 cents per sq. ft. of <u>all enclosed areas under roof</u> . If multiple floors, include each floor's area for this fee.) (Check made payable to T.V.P.O.A.) _____ sq. ft. x .25	\$ _____
3. <u>Utilities:</u> (A <u>separate</u> check made payable to T.V.P.O.A.)	
A. Sewer Facilities Assessment	\$350.00
B. Water Connection Assessment	\$450.00
C. Sewer Connection Assessment	\$450.00
D. Sewer, Water and Mailbox Installation	\$6,375.00
Includes costs of materials and labor. An extra charge may be imposed in instances where excessive costs are incurred due to house location, rock, topography, etc.	
Total for above items excluding the building permit:	\$7,625.00

4. Electrical Fee - contact Fort Loudon Electric Co-Op (FLEC) for current fees Owner / Contractor must take to FLEC.	-
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5. **Monroe County Permit Fee:**
\$10.00

(Check Payable to: Monroe County Office of Building Permits)

6. **Plot Plan:** one original required with **original signature** of properly licensed surveyor. Plot **must** contain all of the required information noted in Section D of Blue Book.
7. **Drainage Plan:** one copy of plot plan showing how you plan to control drainage. Indicate water flow direction with arrows; swales, leaders, grate in driveway, etc.
8. **House Plans** (one set required, 11" x 17" size with graphic scales on each page)
9. **ACC Specification Sheets** **with color samples attached**
10. **Engineer's Plans (if required)**
 (Must be submitted for retaining walls, and earth-sheltered homes)
11. **Waiver of Bond Form**
12. **Cable TV Form**
13. **Proof of Lot Ownership (if not in POA records yet).**
14. Proof of Builder's Risk Insurance – **Must have lot, block, and subdivision.**
15. Proof of Worker's Compensation Insurance (or Affidavit of Exemption for qualified applicants.)
16. T.V.A. Energy Compliance Letter
17. Performance Bond/Letter of Credit – must be provided by a financial institution.
 (The amount must equal \$35/sq. ft. x heated square footage)
18. Scheduling of Pumped Effluent Sewer System Form – take to Public Works Office.