

# **Rarity Bay**

## ***Design Guidelines Manual***

**Updated By:**

**Rarity Bay Architectural Review Committee (ARC)**

**150 Rarity Bay Parkway**

**Vonore, TN 37885**



**Chartered and Approved By:**

**Rarity Bay Community Association Inc (RBCAI)**

**Board of Directors**

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## TABLE OF CONTENTS

	<u>SECTION</u>	<u>PAGE</u>
<u>TABLE OF CONTENTS</u> .....		i-xiv
<u>INTRODUCTION</u> .....	<u>ONE</u>	1
Statement of Purpose.....	S1	1-2
<u>COMMUNITY OVERVIEW</u> .....	<u>TWO</u>	3-8
The Property.....	S2.1	3
The Community.....	S2.2	3
Community Governance.....	S2.3	3-4
The Peninsula.....	S2.4	4
Community Design Concept.....	S2.5	4
Community Identity and Themes.....	S2.6	4-5
Neighborhood Identity and Themes.....	S2.7	5
Lakes, Wetlands and Natural Resources.....	S2.8	5
Wildlife Management and Corridors.....	S2.9	5-6
Natural Bluffs.....	S2.10	6
Rarity Bay Golf & Country Club.....	S2.11	6
Clubhouse Facilities.....	S2.11.1	7
Golf Facilities.....	S2.11.2	7
Swim, Fitness and Tennis Facilities.....	S2.11.3	7
Equestrian Center.....	S2.12	8
Community Common Property.....	S2.13	8
Dog Park.....	S2.14	8
Community Activity Center.....	S2.15	8

<u>ARCHITECTURAL REVIEW COMMITTEE</u> .....	<u>THREE</u>	9
Introduction.....	S3.1	9
Authority of the ARC.....	S3.2	9-10
Responsibility of the ARC.....	S3.3	10
Meetings, Dates & Approval Deadlines.....	S3.4	10-11
ARC Administrator & Design Consultants.....	S3.5	11
Types of Decisions.....	S3.6	11-12
Written Approvals and Oral Statements.....	S3.7	12
Variances.....	S3.8	12-13
Commencement & Completion of Construction.....	S3.9	13
Construction Changes.....	S3.10	13
Inspections.....	S3.11	13
Responsibilities of Applicants.....	S3.12	13
Good Neighbor Policy.....	S3.13	14
Insurance.....	S3.14	14-15
Limiting Conditions.....	S3.15	15
2013 ARC Design Review Fees.....	S3.16	16
<u>DESIGN REVIEW PROCESS</u> .....	<u>FOUR</u>	17
Process Overview: New Construction.....	S4.1	17
Exhibit: ARC Review Process.....	S4.1.1	18
Process Overview: Modifications.....	S4.2	19
Application, Documents and Fees.....	S4.2.1	19
Design and Building Professionals.....	S4.3	19-20
Starting the Design Process.....	S4.4	20
Preliminary Design Review.....	S4.5	20

Final Design Review.....	S4.6	20-21
Preconstruction Meeting.....	S4.7	21-22
TRDA Building Permit.....	S4.8	22-23
Foundation Survey.....	S4.9	23
Final Inspections.....	S4.10	24
<b><u>DESIGN STANDARDS</u></b> .....	<b><u>FIVE</u></b>	<b>25</b>
Architectural Design.....	S5.1	25-26
Site Planning.....	S5.2	26
Orientation.....	S5.2.1	26
Building Setbacks and Maximum Buildable Area.....	S5.2.2	26
Maximum Site Coverage.....	S5.2.3	26
Maximum Building Height.....	S5.2.4	26
Easements.....	S5.2.5	27
Sight Distances: Intersections and Driveways.....	S5.2.6	27
Garages and Driveways.....	S5.2.7	27
Porches, Patios and Pool Decks.....	S5.2.8	27
Fences, Walls and Planters.....	S5.2.9	27
Play Equipment.....	S5.2.10	27
EXHIBIT: Lot Classifications and Standards.....	S5.2.11	28
Site Development.....	S5.3	29
Limits of Clearing.....	S5.3.1	29
Trees to be Saved.....	S5.3.2	29
Vegetation, Debris and Tree Stumps.....	S5.3.3	29
Grading, Fill and Drainage.....	S5.3.4	29
Retaining Walls.....	S5.3.5	30

Finished Grading.....	S5.3.6	30
Mounds and Swales.....	S5.3.7	30
Lot Grading Plans.....	S5.3.8	30
Erosion and Environmental Control.....	S5.3.9	31
Dumpsters.....	S5.3.10	31
Utilities.....	S5.4	31
Utility Services.....	S5.4.1	31-32
Utility Fees and Charges.....	S5.4.2	32
Utility Meters and Connections.....	S5.4.3	32
Cable Television.....	S5.4.4	32
Wells.....	S5.4.5	32
Sewer.....	S5.4.6	32
Exterior Elevations and Materials.....	S5.5	32
Foundation Materials.....	S5.5.1	32
Exterior Wall Materials.....	S5.5.2	32-33
Stucco Finishes.....	S5.5.3	33
Brick Veneer.....	S5.5.4	34
Stone Veneer.....	S5.5.5	34
Fiber-Cement Siding.....	S5.5.6	34
Wood Siding and Accents.....	S5.5.7	34-35
Windows.....	S5.5.8	35
Window Grilles and Balcony Railings.....	S5.5.9	35
Shutters.....	S5.5.10	35
Dormers.....	S5.5.11	35-36
Front Entry Doors.....	S5.5.12	36

Roofs.....	S5.6	36
Roof Styles and Pitches.....	S5.6.1	36
Roof Shingles.....	S5.6.2	36-37
Plumbing Vents and Stacks.....	S5.6.3	37
Valleys.....	S5.6.4	37
Flashing.....	S5.6.5	37
Skylights.....	S5.6.6	37
Fascias.....	S5.6.7	37
Soffits and Vents.....	S5.6.8	37
Roof Drainage and Gutters.....	S5.6.9	37
Ridge Vents.....	S5.6.10	37
Energy Conservation Equipment.....	S5.7	37
Solar Collectors.....	S5.7.1	37-38
Fireplaces and Chimneys.....	S5.8	38
Fireplace Types.....	S5.8.1	38
Chimney Materials.....	S5.8.2	38
Chimney Caps.....	S5.8.3	38-39
Garage and Driveways.....	S5.9	39
Garage Types and Siting.....	S5.9.1	39
Garage Loading.....	S5.9.2	39
Garage Facades.....	S5.9.3	39
Garage Doors.....	S5.9.4	39-40
Driveway Layout and Slopes.....	S5.9.5	40
Driveways Finishes.....	S5.9.6	40-41
Driveway Radius and Curb Cuts.....	S5.9.7	41

Walkways.....	S5.10	41
Walkways.....	S5.10.1	41
Stoops, Entries, Porches and Decks.....	S5.11	41
Country Porches and Raised Decks: Front Yards.....	S5.11.1	41
Country Porches and Raised Decks: Side and Rear Yards.....	S5.11.2	42
Porches, Patios and Pool Decks: Side and Rear Yards.....	S5.11.3	42
Porches, Patios and Pool Decks: Finishes.....	S5.11.4	42-43
Pools and Spas.....	S5.12	43
In-Ground Pools and Spas.....	S5.12.1	43
Portable Spas.....	S5.12.2	43
Pool and Spa Protection.....	S5.12.3	43
Fences, Walls and Planters.....	S5.13	43
Fence and Wall Types.....	S5.13.1	44
Pool Fences.....	S5.13.2	44
Service Walls.....	S5.13.3	44
Privacy Walls.....	S5.13.4	45
Courtyard Walls.....	S5.13.5	45
Decorative Walls and Planters.....	S5.13.6	45-46
General Criteria.....	S5.13.7	46
Additional Restrictions and Special Conditions.....	S5.13.8	46
Pool Fence Standard.....	S5.13.9	47
Accessory Structures.....	S5.14	48
Trellises.....	S5.14.1	48
Outdoor Fireplaces and Permanent Barbecues.....	S5.14.2	48
Storage and Tool Sheds.....	S5.14.3	48

Gazebos.....	S5.14.4	48
Boat Docks.....	S5.14.5	48
Guest Houses.....	S5.14.6	48
Play Equipment.....	S5.15	48
Location of Play Equipment.....	S5.15.1	49
Buffer Landscaping.....	S5.15.2	49
Basketball Goals.....	S5.15.3	49
Swing Sets.....	S5.15.4	49
Playhouses.....	S5.15.5	49
Play Complexes.....	S5.15.6	49
Tree Houses.....	S5.15.7	49
Trampolines.....	S5.15.8	49
Skateboard Ramps.....	S5.15.9	50
Portable Play Equipment.....	S5.15.10	50
Exterior Colors.....	S5.16	50
Overview.....	S5.16.1	50
Color Schemes.....	S5.16.2	50-51
Wood, Moulded Millwork and Fiber-Cement Products.....	S5.16.3	51-52
Stucco Colors.....	S5.16.4	52
Brick Colors.....	S5.16.5	52
Stone Colors.....	S5.16.6	52
Flat Concrete Shingle Colors.....	S5.16.7	52
Slate Shingle Colors.....	S5.16.8	52
Windows and Glass Sliding Door Colors.....	S5.16.9	52
Driveways and Walkways.....	S5.16.10	52-53



Patio and Pool Decks.....	S5.16.11	53
Exterior Lighting.....	S5.17	53
Location of Lighting Fixtures.....	S5.17.1	53
Lighting Systems.....	S5.17.2	53
Illumination.....	S5.17.3	53-54
Monument and Post Lights.....	S5.17.4	54
Bollard and Path Lights.....	S5.17.5	54
Ground Lights.....	S5.17.6	54
Spread Lights.....	S5.17.7	54
Flood Lights: Ground-Level.....	S5.17.8	54
Spot Lights: Ground-Level.....	S5.17.9	54
Spot Lights: Eye-Mounted.....	S5.17.10	55
Well Lights.....	S5.17.11	55
Entry Lights.....	S5.17.12	55
Garage Lights.....	S5.17.13	55
Porch Lights.....	S5.17.14	55
Side Yard Lights.....	S5.17.15	55
Dimmers, Time Clocks and Circuits.....	S5.17.16	55
Bulbs.....	S5.17.17	55-56
Lenses.....	S5.17.18	56
Light Spillage and Glare.....	S5.17.19	56
E911 Switch.....	S5.17.20	56
Landscape Review.....	S5.18	56
Residential Landscape Concept.....	S5.19	56
Turf and Shrub Areas.....	S5.19.1	56

Trees.....	S5.19.2	57
Landscape Zones.....	S5.20	57
Zone One: The Streetscape Zone.....	S5.20.1	57
Zone Two: The Front Yard Zone.....	S5.20.2	57-58
Zone Three: The Private Zone.....	S5.20.3	58
Zone Four: The Amenity Zone.....	S5.20.4	58
EXHIBIT: Landscape Zone Diagram.....	S5.20.5	59
E-911 Light Switch.....	S5.21	60
Landscape Standards.....	S5.22	60
Existing Vegetation.....	S5.22.1	60
Trees.....	S5.22.2	61
Shrubs.....	S5.22.3	61
Sod.....	S5.22.4	61
Planting Beds and Mulch.....	S5.22.5	61
Plant Quality and Installation.....	S5.22.6	61-62
Utility Boxes.....	S5.22.7	62
Lines of Sight.....	S5.22.8	62
Decorative Embellishments.....	S5.22.9	62
Irrigation Systems.....	S5.23	62
Automatic Irrigation Systems.....	S5.23.1	62
Irrigation Water.....	S5.24	63
Maintenance: Vacant Lots.....	S5.25	63
Maintenance: Completed Structures.....	S5.26	63
Routine Lot Maintenance.....	S5.26.1	63

Removal of Dead Trees.....	S5.26.2	63
Irrigation and Maintenance of R-O-W-S.....	S5.26.3	63
Irrigation and Maintenance of Water’s Edge.....	S5.26.4	63
EXHIBITS.....	S5.27	63
Standard Temporary Silt Fence.....	S5.27.a	64
Tree Protective Fence.....	S5.27.b	65
Tree Wall Detail.....	S5.27.c	66
Tree Well Detail.....	S5.27.d	67
Mailboxes and House Numbers.....	S5.28	68
Mailbox Type and Approvals.....	S5.28.1	68
Mailbox Standards.....	S5.28.2	68
House Numbers.....	S5.28.3	68
Newspaper Boxes.....	S5.28.4	68
Mailbox Light.....	S5.28.5	68
EXHIBIT: Typical Mailbox Pull Off Detail.....	S5.28.6	69
Signs.....	S5.29	70
Regulatory and Street Signs.....	S5.29.1	70
Directional Signs.....	S5.29.2	70
Neighborhood Signs.....	S5.29.3	70
Builder Identity Signs.....	S5.29.4	70
Miscellaneous Signs and Advertising Devices.....	S5.29.5	70
Removal of Non-Conforming or Unapproved Signs.....	S5.29.6	70
Antennas and Dishes.....	S5.30	70
Game Courts.....	S5.31	71
Shoreline Treatment.....	S5.32	71

TVA’s Authority.....	S5.32.1	71
Shoreline Treatment.....	S5.32.2	71
Pathway and Access.....	S5.32.3	72
Designated Dock Types.....	S5.32.4	72
Literature on Shoreline Treatment.....	S5.32.5	72
Dock Designs Approved by ARC.....	S5.32.6	72
EXHIBIT: Dock Approval Application for TVA 26A Permit.....	S5.32.7	73
Construction and Building Standards for Water Use Facilities at Rarity Bay.....	S5.33	74
General Restrictions.....	S5.33.1	74-75
Miscellaneous Provisions.....	S5.34	76
Window Air-Conditioning Units.....	S5.34.1	76
Flag and Poles.....	S5.34.2	76
Reflective Window Coverings and Film.....	S5.34.3	76
Security Alarms.....	S5.34.4	76
Roadside Obstacles.....	S5.34.5	76
Portable Barbecues.....	S5.34.6	76
Firewood.....	S5.34.7	76
RV, Trailer and Boat Storage.....	S5.34.8	76
Radon Testing.....	S5.34.9	76
<b><u>ENVIRONMENTAL STANDARDS</u></b> .....	<b><u>SIX</u></b>	<b>77</b>
Environmental Standards.....	S6.1	77
Restricted Activity Areas.....	S6.1.1	77
Tree Protection.....	S6.1.2	77
Aeration Systems and Tree Wells.....	S6.1.3	77

Protective Fences.....	S6.1.4	77
Concrete Washout and Vehicle Washing.....	S6.1.5	77
Tree Maintenance.....	S6.1.6	77
Penalty for Damage.....	S6.1.7	77
Hazardous Substances.....	S6.1.8	78
Environment Control During Construction.....	S6.1.9	78
<b><u>CONSTRUCTION STANDARDS</u></b> .....	<b><u>SEVEN</u></b>	<b>79</b>
Construction Standards.....	S7.1	79
Construction Access.....	S7.1.1	79
Registration of Subcontractors.....	S7.1.2	79
Employees Only.....	S7.1.3	79
Common Area and Golf Course Access.....	S7.1.4	79
Damage to Development Improvements.....	S7.1.5	79
Speed Limits.....	S7.1.6	79
Construction Parking.....	S7.1.7	80
Removal of Construction Vehicles.....	S7.1.8	80
Job Site Conditions and Dumpsters.....	S7.1.9	80
Street Cleaning.....	S7.1.10	80
Golf Cart Paths, Walkways and Driveways.....	S7.1.11	80
Storage of Fill and Materials.....	S7.1.12	80
Temporary Electric and Water.....	S7.1.13	80
Loud Music.....	S7.1.14	80
Pets.....	S7.1.15	80
Signage.....	S7.1.16	80
Job Site Activities.....	S7.1.17	80

Weight Restrictions.....	S7.1.18	80-81
Security.....	S7.1.19	81
Rarity Bay and Golf Course Maintenance Facilities.....	S7.1.20	81
<b><u>DEFINITIONS</u></b> .....	<b><u>EIGHT</u></b>	82-86
<b><u>EXHIBITS AND FORMS</u></b> .....	<b><u>NINE</u></b>	87
New Home Application.....	S9.1	87-88
Preliminary Design Review Application.....	S9.2	89-90
Final Design Review Application.....	S9.3	91-95
Landscape Review Application.....	S9.4	96-98
Alteration Application.....	S9.5	99-100
Boat Dock Application.....	S9.6	101-102
Application for Certificate of Compliance.....	S9.7	103
Builder Application.....	S9.8	104-105
<b><u>APPENDIX</u></b> .....		106
Bay Pointe at Rarity Bay Addendum.....	A	106
Purpose and Overview.....	A1.1	106
Color & Materials.....	A1.2	106
Massing, Scale and Proportion.....	A1.3	106
Roof and Roof Forms.....	A1.4	107
Garages.....	A1.5	107
Window and Doors.....	A1.6	107-108
Porches, Decks, Columns and Deck Column Supports.....	A1.7	108-109
ARC Design Review Fees.....	B	110
TRDA Application for Building Permit.....	C	111
Sewer System Requirements.....	D	112

The Tank.....	D1.1	112-113
The Certified ProSTEP Effluent Pump System.....	D1.2	113-114
Sewer Installation Inspection Report.....	D1.3	115
New Residential Installation STEP System Tank.....	D1.3	116
Approved Tree List.....	E	117-123
Imagery Supplement.....	F	124

# **Section One (S1)**

## *Introduction*

**S1.1 STATEMENT OF PURPOSE.** There are few creative opportunities that measure up with the excitement and experience of designing, building or remodeling your own home. From the initial design sketches, through ground breaking and the construction phases, to adding the final finishing touches, the process of creating a unique home can be a very rewarding experience.

In conjunction with the Covenants, Conditions and Restrictions for Rarity Bay, the Rarity Bay Design Guidelines Manual (RBDGM) is intended to achieve these objectives:

- To preserve and maintain the inherent qualities of the property while allowing for the design and construction of homes
- To advocate the protection and promotion of property values through the establishment of standards and guidelines
- To establish a framework for the planning, design, construction, maintenance and modification of homes

The RBDGM sets forth design, environment and construction standards for homes within Rarity Bay. Standards are written and intended to inspire sound principles of site planning, architectural design, landscaping and construction.

While individual creativity is encouraged, the RBDGM has been established to maintain a measure of quality and consistency throughout the course of community development. In some cases there will be no permitted variation from established standards, while in other areas flexibility and modification may be permitted with the review and approval of the Architectural Review Committee (ARC).

The RBDGM will assist you and your design team from the preliminary design phase of your new home through its completion. The standards and guidelines will also serve you in the future as you consider modifications to your home and landscape. Most important, the RBDGM establishes a viable framework from which homeowners can direct their architects and builders, while maintaining a high level of quality design and construction.

The RBDGM provides a means to preserve the exclusiveness and value expected by every homeowner. Adherence to the standards contained in the RBDGM will contribute to the continuation of the inherent and natural attraction of Rarity Bay as a desirable environment in which to live.



The ARC looks forward to working with each new homeowner and wishes you much success. We welcome you to our Community.

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The Design Review Guidelines revised August 2013 henceforth supersedes previous Design Review Guidelines. These Rarity Bay Architectural Review Committee Design Guidelines revised and restated in 2013 were approved and adopted by the ARC on August 28, 2013.

The RBCAI Board of Directors approved and adopted the Rarity Bay Architectural Review Committee Design Guidelines to be effective September 1, 2013.

## **Section Two (S2)**

### *Community Overview*

**S2.1 THE PROPERTY.** Rarity Bay on Lake Tellico lies on the Bat Creek Peninsula, between Bat Creek and the Little Tennessee River, in Loudon and Monroe Counties of Eastern Tennessee. The region is characterized by the internationally known Great Smoky Mountains. The property was at one time, a portion of the famous Tennessee Valley Authority holdings, the multi-functional governmental agency that brought hydro-electric power to the rural areas of the Appalachian Mountains in the 1930's.

**S2.2 THE COMMUNITY.** Rarity Bay is a gated community which encompasses approximately 960 acres intended for approximately 1,300 residences, community amenities, and private club facilities.

Rarity Bay offers a unique set of benefits and advantages for property owners. Rarity Bay has attained an exclusive level of prestige which has resulted from the natural attributes of the community, its environmentally sensitive approach to planning the quality of its architectural design standards, and the reputation of its private club facilities.

The community embraces a neighborhood development concept with parcels designed to be individual in character and reflect the desired effect of residents who decide to live in that neighborhood. All neighborhoods are a part of Rarity Bay, but also are separate in character and residential type. Depending on location and orientation, numerous homesites offer fairway, lake, mountain, and park or preserve views.

Rarity Bay is surrounded on three sides by the natural beauty of Lake Tellico, formed by Bat Creek and the Little Tennessee River. Over ten miles of water frontage provide outstanding vistas and excellent opportunities for residential development in the midst of a casual, country setting.

**S2.3 COMMUNITY GOVERNANCE** The community is governed by the Rarity Bay Community Association, Inc. (RB CAI), of which all property owners are members. The RB CAI derives its authority from the "Master Declaration of Covenants, Conditions, and Restrictions for Rarity Bay" (CC&R's) and the "By-laws of Rarity Bay Community Association, Inc."

Day-to-day activities of the RB CAI are administered by a Board of Directors elected by the membership and a professional Staff reporting to the Board.

The RB CAI Board of Directors has established an Architectural Review Committee (ARC) to oversee all aspects of design and construction within the Rarity Bay Community. The Board has

delegated its full authority, as enumerated in the CC&Rs and By-laws, in the area of design and construction to the ARC. The Board is the final arbiter of issues that cannot be resolved between the ARC and individual property owners, and its staff is charged with assisting the ARC in the areas of inspection and enforcement. A detailed discussion of the authority and responsibilities of the ARC may be found in Section Three (S3) of this Rarity Bay Design Guidelines Manual.

**S2.4 THE PENINSULA.** The peninsula is dominated by vistas of the Great Smoky Mountains. Located to the east of Rarity Bay about 50 miles, the Great Smokies provide a rich visual aesthetic personality to Rarity Bay. The mountains take their name from their most common character: a blue, smoke-like haze that usually hangs over the peaks.

The peninsula's hardwood forests and vegetated areas provide for a wide variety of bird and animal species throughout the year. Migratory birds that winter in Central and South America are seen here during the summer seasons. It is not unusual to spot a yellow-billed cuckoo, a red-eyed vireo or a Kentucky warbler. Permanent bird residents in the woodland include woodpeckers, Carolina chickadee and the white-breasted nuthatch. The endangered bald eagle has recently been seen nearby and the endangered ospreys frequently nest at Bat Creek during their spring and fall migrations. The sport fishing opportunities in Bat Creek are extensive and provide tremendous potential for recreational sport fishing enthusiasts.

**S2.5 COMMUNITY DESIGN CONCEPT.** The underlying premise of Rarity Bay continues to be the establishment a waterfront and golf course community that is sensitively integrated into the natural beauty of the Bat Creek Peninsula.

The successful accomplishment of the concept has resulted in a comprehensive community plan that embraces a balance of land use. The plan thoughtfully maintains this delicate balance, while optimizing the value of the neighborhood residential areas within the community's amenities. The residential areas are strategically positioned to maximize exposure to the views and water frontage as well as the golf course. Rarity Bay has been masterfully composed by the weaving together of individual neighborhoods into the fabric of a naturally beautiful environment.

**S2.6 COMMUNITY IDENTITY AND THEMES.** The personality and identity of Rarity Bay are strengthened through the consistent application of traditional architectural themes: Country French and Casual Country. Both are comfortable, graceful styles, yet well-seasoned with the youthful spirit of the American lifestyle. The theme is a mixture of color, texture and light that welcomes and charms in a way that is refreshing and open. Country French and Casual Country are styles that are open to broad interpretation, which is why they can be adapted so appropriately to the region of Eastern Tennessee.

Generally, the architectural style is eclectic and asymmetrical with a strong sense of cohesiveness. Home designs tend to be more biased to the function of long-term practicality rather than to fashionable passing trends. The partnership of materials and color integrated into

the architectural details and elements cause each home to emerge with a unique but traditional American personality. The country style is typified by the embracing of the pure colors of the earth, the flowers and the sky. The style should never be contrived, and never pretentious. It is distinctively comfortable, appealing and exquisitely crafted.

The themes of Country French and Casual Country are conveyed throughout the design details of Rarity Bay. The homes feature the use of classic country detailing, which are expressed through the style and colors of the building materials and enriched accent treatments.

Inappropriate designs are those that deviate from the established and desirable Country French or Casual Country themes, such as postmodern architecture or period style.

**S2.7 NEIGHBORHOOD IDENTITY AND THEMES.** The thematic treatments of the Country French and Casual Country styles are expressed within each neighborhood through the entry monumentation, signage, and landscape treatments. The design and management of these elements have been thoughtfully orchestrated to provide a subtle sense of individuality and cohesiveness for each neighborhood within Rarity Bay.

**S2.8 LAKES, WETLANDS AND NATURAL RESOURCES.** The premier feature of the community is the abundant and scenic lakeside water resource. The wetlands occurring along approximately 10 miles of peninsula shoreline have been identified as emergent and scrub-shrub plant communities and classified as “fringe” wetlands. Such wetlands are generally found within the fluctuation zone of rising and falling water levels adjoining the main water body, such as the operating zone of Tellico Reservoir. The majority of the fringe wetlands occur between the 812 and 815 foot contour elevation. Fringe wetland vegetation normally includes species such as common cattail, woolgrass, buttonbush, and black-willow. Other common wetland species include soft rush, silky dogwood, and river alder.

A different type of wetland is identified near the two ponds located below the 820-foot contour at Mile 15.8 of the Little Tennessee River. This area is surrounded by a narrow bank of fringe wetlands as well as supporting submersed aquatic vegetation.

Bat Creek peninsula fringe wetlands stabilize the shoreline and disperse the energy of waves and currents, thereby reducing shoreline erosion. This helps maintain water clarity and improve water quality. These wetlands also filter runoff from uphill, trapping sediments and nutrients.

Fringe wetlands also provide habitats that support a diverse array of wetland-dependent wildlife, including wood ducks, Canadian geese and mallards, great blue and green-backed heron, red-winged blackbirds, swamp sparrows, mink, muskrats, and raccoons.

**S2.9 WILDLIFE MANAGEMENT AND CORRIDORS.** To responsibly manage the wildlife habitat areas, a Wildlife & Environmental Management Plan has been developed by

Rarity Bay. As shown on the Master Plan, a wildlife movement corridor is retained along Bat Creek [from Highway 72 to Bat Creek Mile 2.2]. Pedestrian access to private or community docking facilities is permitted at specified locations within this corridor. Removal of both canopy and understory vegetation must be kept to a minimum and conducted only following the approval of the TVA.

This shoreline corridor connects to a 150-foot wildlife movement corridor at Bat Creek Mile 2.2 and extends across the peninsula to the Little Tennessee Rive at Mile 15.1. No waterfront use facilities will be approved along certain designated sections of the shoreline on the Little Tennessee River side [*which is mostly steep, forested slopes and bluffs*] of the peninsula due to aesthetic and navigation restrictions. Although no minimum width has been specified, wildlife habitat is preserved upstream to the Tellico West Properties.

Additionally, as shown on the Master Plan, a second wildlife corridor approximately 150 feet wide connects the Bat Creek side of the peninsula to a 90-acre area along the site's southern border.

Elsewhere in Rarity Bay, the shoreline will be managed to maintain a stable vegetated shoreline zone. Over time, this zone will provide an aesthetically pleasing shoreline, filter runoff from adjacent developed areas, and support a habitat for wildlife. Pathways are permitted across the zone for pedestrian access to private or community docking facilities.

Conservation areas, as designated on the Master Plan, are to be left in a natural state to provide cover for wildlife. Maintenance of the Wildlife Corridors will be the responsibility of the CAI in cooperation with Tellico Reservoir Development Agency, Tennessee Valley Authority, and Tennessee Wildlife Resource Agency.

**S2.10 NATURAL BLUFFS.** The visual protection of approximately 4,500 linear feet of limestone bluff along the main channel of the Little Tennessee River has been accomplished by prohibiting the removal of vegetation from the water line to the crest of the bluffs as well as prohibiting water use facilities. Limitations on the number and type of docking and water use facilities provide a visual mix of natural and developed shoreline. The preservation and management of existing shoreline vegetation, below the 820-foot contour, assists in preserving the rich visual quality of the natural landscape for the lake user. The protection of wetland areas, the grouping of community dock facilities, and the restrictions of individual water use facilities culminate in a pristine natural lakeside setting.

**S2.11 RARITY BAY GOLF & COUNTRY CLUB.** The private club facilities of Rarity Bay Golf & Country Club have been developed to create a balance of recreational and social opportunities for members by providing multiple options for their consideration, such as dining, golfing, swimming, and tennis.

**S2.11.1 Clubhouse Facilities.** The Clubhouse is a centerpiece of Rarity Bay and sets the architectural tone for club facilities as well as residential projects within the community. The Country French style of the Clubhouse pays homage to historical designs of the past and features an elevated portico, high-pitched roof, arched top dormers, textured stucco, and stone accents.

The Clubhouse encompasses approximately 11,000 square feet and includes the following features:

- Grille Dining Area
- Club Lounge
- Pro Shop
- Membership Office
- Private Function Rooms
- Patio Area

**S2.11.2 Golf Facilities.** The setting of the golf course against the Great Smoky Mountains is unlike any other in the region. The course uses the terrain's natural contours and view orientation to achieve its stunning personality. Its fairways respect the natural ridges and swales of the peninsula. The course requires both finesse and calculated controlled power as the players browse from hole to hole across the scenic terrain. It has been carefully designed to be inviting to the beginner as well as challenging to the advanced player. There are many strategically placed hazards that reward the good shots and penalize the poor shot.

The golf facilities at Rarity Bay Golf & Country Club include the following:

- 18-Hole Championship Golf Course
- Putting Green
- Chipping Green
- Practice Range

**S2.11.3 Swim, Fitness and Tennis Facilities.** Located adjacent to the Clubhouse are the swim, fitness and tennis facilities, which include:

- Swimming Pool
- Kid's Wading Pool
- Multi-Purpose Activity Room
- Men's and Women's Showers
- Day Lockers
- Lighted Hard Surface Tennis Courts
- Cardiovascular Equipment
- Strength Training Equipment

**S2.12 EQUESTRIAN CENTER.** Located near the Gate House, the Equestrian Center is private; separate membership and use fees will apply to these facilities. The following facilities and service are available at the Equestrian Center:

- Horse Barn
- Exercise Arena
- Paddocks
- Boarding and Pasturing
- Riding Instruction
- Show ring
- Riding Trails
- Planned Activities/Events

**S2.13 COMMUNITY COMMON PROPERTY** A series of Community common property areas are planned throughout the community. Some may include features such as benches, picnic tables and playground areas. These areas will be accessible to residents and maintained by the Rarity Bay Community Association (CAI).

**S2.14 DOG PARK.** Rarity Bay has a membership-based Dog Park where residents can let their dog play with others. The park is fenced and divided for small and large dogs. It also includes a covered gazebo where residents can relax in the shade while their dog gets needed exercise.

**S2.15 COMMUNITY ACTIVITY CENTER.** The Community Activity Center is located near the Gate House and was designed to reflect the casual country elegance of the entire development. This facility is used for community meetings as well as a gathering place for numerous social groups in the community. It also includes a library that is accessible 24 hours per day.

## **Section Three (S3)**

### *Architectural Review Committee*

**S3.1 INTRODUCTION.** The Primary function of the Architectural Review Committee (ARC) is to establish design standards and to review applications for new construction and modifications to completed structures to ensure an aesthetically pleasing and architecturally compatible environment. The ARC's review and approval responsibilities embrace all aspects of development within Rarity Bay including, but not limited to, the following:

- Architectural Design
- Land Planning
- Site Work, Grading & Drainage
- Construction Materials & Operations
- Exterior Colors, Materials & Finishes
- Sewer System Compliance
- Landscape Design
- Exterior Lighting
- Signage
- Environmental Preservation
- Structural Improvements and Modifications

While individual creativity is encouraged on behalf of Applicants, the Design Guidelines Manual has been established to maintain a measure of quality and consistency throughout the course of community development. In some cases there will be no permitted variations from established standards, while in other areas flexibility and modification may be permitted with the review and approval of the ARC. This manual applies to all home construction within Rarity Bay. Bay Pointe lots have some additional requirements and those are documented in Appendix A of this manual.

### **S3.2 AUTHORITY OF THE ARC**

The ARC has been established by the CAI Board in accordance with the Declaration of Covenants, Conditions and Restrictions for Rarity Bay. The ARC shall have exclusive jurisdiction over all new construction and modifications to complete structures within Rarity Bay. As provided for in the Declaration, the CAI Board shall appoint all members of the ARC, who shall serve a 3 year term. The authority of the ARC is derived from the CAI Board. Therefore, the ARC has no fiduciary duty to the Association or its members.

The ARC shall (a) set forth standards and guidelines for new construction or modifications, and (b) review and approve all Design Review Applications and Design Documents in accordance with the Design Guidelines Manual.

The ARC may disapprove any Design Review Application for non-compliance with the provisions contained in the Design Guidelines Manual or on purely aesthetic grounds where, in



its sole judgment, such action is required to maintain the desired character of the overall community or individual neighborhoods.

**S3.3 RESPONSIBILITIES OF THE ARC.** Subject to the approval of the CAI Board, the responsibilities of the ARC include, but are not limited to the following:

- To establish architectural motifs and exterior design themes for the community and individual neighborhoods.
- To prepare design standards and guidelines for the protection of property values.
- To evaluate all Design Review Applications and to approve or deny requests for new construction and modifications to existing structures.
- To assure compatible architectural designs, materials and colors as well as harmonious relationships among structures on neighboring lots.
- To encourage quality construction and high standards of design
- To require deposits and establish fees for the review of applications and the administration of the design review process.
- To meet with Applicants whose plans and specifications have been disapproved and to provide reasonable assistance and recommendations for adjustments to bring Design Review Applications and Design Documents into compliance with standards and guidelines.
- To amend, modify and enhance standards, guidelines and other provisions in the RBDGM as may be required from time to time.
- To accept builders for construction of new home or modifications to existing homes.
- To fine, temporarily remove or permanently exclude from Rarity Bay any contractor, subcontractor, or supplier who violates provisions of the RBDGM.

**S3.4 MEETINGS, DATES & APPROVAL DEADLINES.** The ARC will meet as required to review Design Review Applications. The ARC may take up to 30 calendar days to review submittals; however, most applications are evaluated within seven to fourteen calendar days. Applicants may attend ARC meetings to take advantage of comments and suggestions by board members regarding their respective submittals.

- **For an overview of design review steps see Section (S4.1)**

Acceptance of a Builder Application for the construction of a home shall not prevent the ARC from denying a Builder Agreement in the future.

- **Acceptance of a builder for the construction of a home within Rarity Bay shall not impose any responsibility on the ARC. The scope of any review and acceptance shall be for the sole benefit of the ARC. Applicants are responsible for determining the experience, business practices, reputation and creditworthiness of any builder as may be prudent and necessary.**

- **Sample builder Applications and Builder Agreements are available upon request from the ARC Administrator or the CAI website.**

**S3.5 ARC ADMINISTRATOR & DESIGN CONSULTANTS.** The ARC will appoint an Administrator and may select independent design consultants to handle the responsibility of processing Design Review Applications and meeting with Applicants for the following purposes:

- Conduct initial meetings with property owners to commence construction process, answer questions, provide overview of guidelines and building procedures.
- Facilitate completion of application packages, collect fees, and coordinate with accounting staff and office administration. Review initial ARC submittals and audit checklist requirements before turning over to Committee.
- Review submittals with ARC to follow-up. Obtain further completed forms, plans, surveys, and color samples on behalf of the ARC for final review. Manage all correspondence between ARC, owner and consultants.
- Approve and process invoices from consultants, coordinate payment of same with accounting staff and office assistant.
- Manage all written communication between owner/builder and the ARC. Keep updated and complete ARC files on all homes under construction.
- Meet with the homeowner on revisions suggested by the architect and modifications as submitted during the construction process.
- Conduct on-site erosion control meetings with the builder.
- Monitor and visit the construction site weekly to inspect that the construction conforms to approved plans and that the site remains clean. Notice builder, owner and ARC in writing when construction does not conform to approved plans. Notify builder of any and all necessary site clean-up.
- Collect documents, inspection tags, etc. throughout the process.
- Inspect the sewer tank as it is installed. Conduct final inspections on the pumping system, check valve, shutoff valve, etc.
- In general, facilitate the process from preliminary approval of plans to issuance of the final Certificate of Compliance (COC).
- Maintain construction file to be turned over to the ARC for final review, COC approval and refund of deposits where applicable.

**S3.6 TYPES OF DECISIONS.** Upon receipt of a properly completed Design Review Application, required Design Documents, and payment of applicable fees, the ARC will process an Applicants request and render one of the (3) decisions in writing:

- Approved as Submitted
- Approved with Stipulations

- Disapproved

If an application is **APPROVED WITH STIPULATIONS**, the Applicant must make changes and re-submit it for approval prior to undertaking construction. **STIPULATIONS** are binding upon an Applicant.

In the event an application is **DISAPPROVED** at time of submittal, the Applicant must make appropriate changes and resubmit a Design Review Application with revised Design Documents.

In some cases an application may be **DISAPPROVED** because it inadequately describes the Applicant's request or because it is in conflict with the standards contained in the Design Guidelines Manual. If an application has been **DISAPPROVED** and an Applicant does not understand the ARC comments or concerns, the Applicant should contact the ARC Administrator.

- **The ARC is not obligated to review incomplete Design Review Applications or Design Documents that do not conform to the requirements set forth in the Design Guidelines Manual.**
- **The time period for rendering decisions by the ARC for any step in the design review process shall not commence until receipt of applicable fees and complete Design Review Applications and Design Documents.**

**S3.7 WRITTEN APPROVALS AND ORAL STATEMENTS.** Design Review Applications will be returned to Applicants with the ARC's decision in writing along with one set of submitted plans. The foregoing items shall be the sole source of reference regarding ARC approval. Oral statements should not be relied upon.

**S3.8 VARIANCES.** The ARC has the authority to require additional or more stringent requirements for any new construction as necessary. In addition, the ARC, in its sole discretion, may authorize a variance from compliance of the standards contained in the Design Guidelines Manual when circumstances such as topography, natural obstructions, hardship [*excluding hardship created by the Applicant or which could have been avoided or mitigated by the exercise of due diligence by the Applicant*], aesthetic or environmental considerations require, but only in accordance with duly adopted rules and regulations.

Such variances will only be granted when unique circumstances dictate and no variance shall (a) be effective unless in writing, (b) be contrary to the provisions set forth in the Declaration, (c) prevent the ARC from denying a similar variance in other circumstances, or (d) require the ARC to grant similar variances in the future. The inability to obtain approval of any governmental

agency, the issuance of any permit, or the terms of any financing shall not necessarily be considered a hardship warranting a variance.

### **S3.9 COMMENCEMENT & COMPLETION OF CONSTRUCTION.**

Completion of construction must occur within 18 months of commencement. All home modifications shall be completed within 6 months. Unless otherwise noted, commencement of construction will start when (a) all plans for such construction have been approved by the ARC; and, (b) a building permit has been issued for the construction of improvements. Completion of construction will be evidenced by receipt of a certificate of occupancy, and a final electrical inspection and any other inspections required by local governmental authorities.

**S3.10 CONSTRUCTION CHANGES.** All construction must be completed in accordance with Design Review Applications and Design Documents as approved. Exterior changes to Design Documents after Final Design Review must receive prior written approval of the ARC, whether such changes are requested by the Applicant or required by utility or government authorities. Applications requesting changes should consult with the ARC Administrator to determine if additional plans and specifications are required for approval and the amount of fees to be charged by the ARC.

**S3.11 INSPECTIONS.** Periodic inspections may be made [*but shall not be required to be made*] by the ARC during or after completion of construction to determine compliance with Design Review Applications and Design Documents. Applicants are required to cooperate fully with members of the ARC and its representatives.

**S3.12 RESPONSIBILITIES OF APPLICANTS.** The ARC assumes no liability or responsibility for any aspect of the design or construction of any structure, including without limitation the following:

- Quality of workmanship or materials provided by any contractor or subcontractor or supplier.
- Compliance with all laws, environmental regulations, building codes, or ordinances or safety requirements.
- Suitability of surface and subsurface soil conditions, including radon.
- Water runoff and drainage control during or after construction.
- Accuracy of elevation grades, stakeouts, surveys and lot grading plans.
- Permits as may be required by any governmental agency.
- Determination of structural, mechanical, electrical or safety adequacy as well as other technical aspects of proposed designs or construction materials that can only be determined by competent professionals such as architects, engineers and contractors.
- Completeness or adequacy of Design Documents submitted by an Applicant.

**S3.13 GOOD NEIGHBOR POLICY.** The ARC cannot substitute for individual responsibility and community spirit. Often cooperation among neighbors can lead to the best solutions to problems that may arise. The ARC supports and encourages this neighborly approach to solving problems through consensus of the parties involved.

Those contemplating construction of a new improvement or alteration of an existing improvement are encouraged to:

- a. Consider the proposed design of the improvement within the context of the neighborhood.
- b. Discuss the proposed plan with neighbors.
- c. Consider mutual neighborhood privacy in all aspects of the house design and site layout – including noise and lighting.
- d. Consider the neighbors’ point of view in the placement and architectural appearance of the improvement.

**S3.14 INSURANCE.** Builders constructing homes within the community shall obtain comprehensive general liability insurance, workers compensation insurance and comprehensive automobile liability insurance. Builders shall carry and require any and all trade contractors retained to construct improvements to carry workers compensation insurance covering all workers as required by law. Builders shall procure and maintain at their expense the following minimum limits of coverage:

<u>Types of Insurance</u>	<u>Minimum Coverage</u>
▪ Comprehensive General Liability For Bodily Injury & Property Damage:	\$1,000,000 Combined Single Limit
▪ Workers Compensation Insurance:	As required by the State of Tennessee
▪ Comprehensive Automobile Liability Bodily Injury & Property Damage:	\$1,000,000 Combined Single Limit

**Prior to the commencement of construction, a Certificate of Insurance must be received by the ARC Administrator. The Rarity Bay Community Association, Inc. will be included as an additional named insured party on all liability insurance, including “their partners or officers, agents and employees”, and are to be shown on all insurance certificates.**

All insurance shall be endorsed to provide that the insurance afforded to the additional insured described above, is primary insurance, and if any of the additional insured's has other insurance which is applicable to any loss on an excess or contingent basis, the amount of the insurance carriers liability under said policies shall not be reduced by the existence of such other insurance of the additional insured.

Notice shall be provided by the builder's insurance carrier to the additional insured party no later than thirty (30) calendar days in advance of any coverage cancellation or policy termination.

- **The name of the building contractor shown on certificates of insurance must be the same name as indicated on the Builder Application and Builder Agreement on file with the ARC. Prior to commencement of construction, a Certificate of Insurance must be received by the ARC Administrator.**
- **The ARC reserves the right to cause construction to cease and/or to prevent access to the community for any builder who fails to provide certificates of insurance as set forth above or whose insurance is canceled and not immediately replaced by another insurance carrier.**
- **If the homeowner hires any direct labor, they are responsible for ensuring that proper insurance coverage is in place.**

**S3.15 LIMITING CONDITIONS.** The following limiting conditions shall apply to the ARC and RBDGM:

- The standards contained in the RBDGM set forth minimum requirements. Where the RBDGM imposes a greater restriction than is imposed and required by the Covenants, Conditions and Restrictions for Rarity Bay or other provisions of law, the standards in the RBDGM shall control. In the event building codes or other provisions of law require greater restrictions than are imposed by the RBDGM, the more stringent provisions shall control.
- Approval of applicants by the ARC shall not be construed as meeting the requirements of Loudon and Monroe Counties, the Tellico Reservoir Development Agency [TRDA], Tennessee Valley Authority [TVA] or any other government agency with jurisdiction over the community.
- Review and approval of applicants by the ARC shall not impose any responsibility for the design, engineering or construction of homes, including, but not limited to, the adequacy, structural integrity or life/safety requirements of such improvements. The scope of any review and approval by the ARC shall be limited solely to whether the plans meet certain requirements, standards and guidelines relating to aesthetics, and

- the harmony and compatibility of the proposed improvements on Applicant's Lot with other improvements to be constructed within community.
- The RBDGM is subject to change by the ARC without prior notice.

**S3.16 2013 ARC DESIGN REVIEW FEES.** See Appendix B

## **Section Four (S4)**

### *Design Review Process*

**S4.1 PROCESS OVERVIEW: NEW CONSTRUCTION.** In order to provide a systematic and uniform review of Design Review Applications and Design Documents for new construction, the following steps have been established:

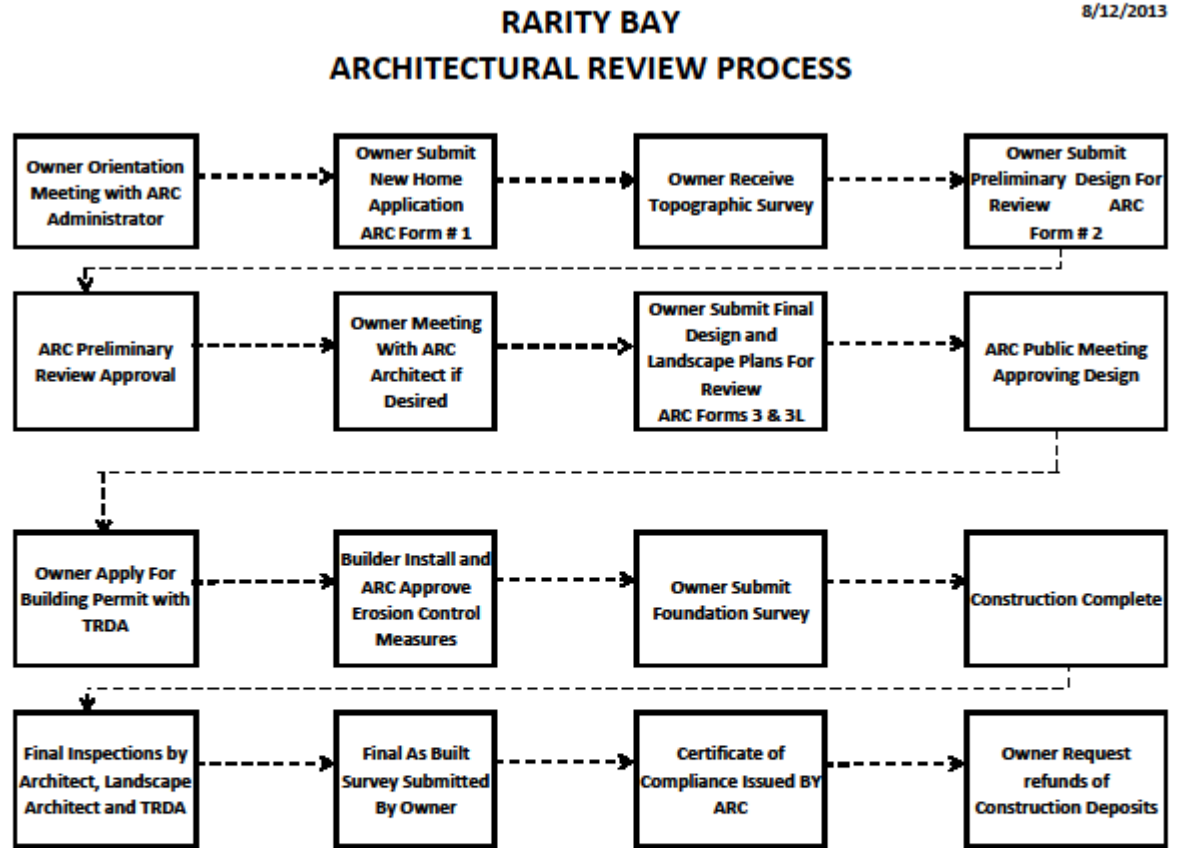
1. Owner orientation with ARC Administrator
2. Owner submit New Home Application (ARC Form #1)
3. Owner receives topographic survey
4. Owner submit preliminary design for approval by ARC (ARC Form #2)
5. ARC Preliminary Review Approval
6. Owner meeting with ARC Architect if desired
7. Owner submit final design including hardscape and landscape plans for review (ARC Forms 3 & 3L)
8. ARC public announcement and meeting to approve design
9. Owner apply for building permit
10. Builder install and ARC approve erosion control measures
11. Owner submit foundation survey
12. Builder complete construction
13. Final inspection by architect, civil & landscape architect
14. Final inspection requirement by TRDA
15. Certificate of Compliance issued by ARC
16. Owner request refunds of construction deposits.

See Section S4.1.1 – Architectural Review Process

**Homeowners and builders should be aware that ARC approval of the final design must be completed prior to applying for TRDA and Monroe County building permits.**



### S.4.1.1 EXHIBIT ARCHITECTURAL REVIEW PROCESS



**S4.2 PROCESS OVERVIEW: MODIFICATIONS.** The standards contained in the RBDGM also apply to modifications to existing construction after completion of a home. All modifications must be submitted to the ARC for review and approval. Modifications include, but are not limited to, exterior remodeling and additions, swimming pools, fencing, roofing, lighting, landscaping, drainage, walkways, and color changes. Applicants should meet with the ARC Administrator to determine which of the steps outlined above under “*Process Overview: New Construction*” will apply and the amount of fees (if any) for handling any such requests.

**S4.2.1 APPLICATIONS, DOCUMENTS AND FEES.** All Design Review Applications and Design Documents shall be addressed and submitted to the ARC Administrator at the following address:

**ARC Administrator  
Rarity Bay ARC  
150 Rarity Bay Parkway  
Vonore, TN 37885  
423-884-3800**

- **Fees for applications and related services are defined in Appendix B and are subject to change. Checks should be made payable to the “Rarity Bay Community Association, Inc.”**

**S4.3 DESIGN AND BUILDING PROFESSIONALS.** The use of qualified design and building professionals is *required* or *recommended*, as indicated below, for Applicants considering the construction of a new home or modifications to an existing home at Rarity Bay. These include but are not limited to the following:

- Lot grading plans, which are required for Final Design Review, must be prepared and sealed by a licensed engineer or architect.
- All surveys required by the Design Guidelines Manual must be performed by a registered land surveyor.
- If the architect is not specialized in landscape design, Applicants are encouraged to retain a landscape architect or designer. Professional quality landscape and irrigation plans are required for Landscape Review.
- Applicants considering the construction of a swimming pool are encouraged to retain a geotechnical engineer.
- Construction of new homes and additions thereto shall only be performed by ***Licensed Building Contractors who must not exceed their maximum dollar limits as imposed by the Board for Licensing Contractors for the State of Tennessee.*** Construction of homes or additions by non-licensed individuals or companies is not permitted.

- All residential designers, architects, engineers, land surveyors and building contractors must be licensed to perform work in the State of Tennessee.

**S4.4 STARTING THE DESIGN PROCESS.** Before undertaking the design of a home within Rarity Bay, Applicants and their architect and builder [if selected] should read and acquaint themselves with the **Design Guidelines Manual** and the **Covenants, Conditions and Restrictions for Rarity Bay**.

Upon receipt of the ARC form #1, New Home Application, the ARC Administrator will order a topographical survey (topo) for the lot upon which the Applicant's home will be built. The design for each home must take into consideration the characteristics of the lot, and the topo is essential for the architect as well as the builder who will be selected by the Applicant. Typically, a topo requires 14 to 21 days, depending on weather conditions. The Applicant has the option of ordering the topographic survey by an independent firm if they so choose. All application forms are included in Section 9 (S9) of the RBDGM and are posted on the CAI website.

**S4.5 PRELIMINARY DESIGN REVIEW.** Applicants are required to submit a **Preliminary Design Review Application** and the required **Design Documents** to determine the appropriateness of the proposed plans prior to undertaking the preparation of final architectural drawings. All drawings are to be submitted electronically as a PDF document.

Design Documents required for Preliminary Design Review may be conceptual in nature, utilizing sketches and illustrations as listed in ARC, Form #2, Preliminary Design Review Application.

The ARC will review Preliminary Design Review Applications and Design Documents and return them with its comments. Applicants are invited to attend meetings of the ARC for input regarding their respective submittals.

- **The ARC may take up to 30 days to review a Preliminary Design Review Application; however, most applications are evaluated within 14 calendar days. Decisions, recommendations or comments made during Preliminary Design Review are not binding on the ARC.**

**S4.6 FINAL DESIGN REVIEW.** After Preliminary Design Approval, and having made required adjustments, Applicants are required to submit a **Final Design Review Application** and the required **Design Documents**.

Design Documents must include all plans requested. **This includes the landscape and hardscape design.** Specific requirements have been established for site plans and lot grading plans, and all check list items defined in ARC Form #3, Final Design Review Application must be shown.

The Final Design Review Application includes an **exterior architectural lighting schedule, exterior finish and color schedule, and color chip sheet.** In some cases, product photo and samples are required as shown on the application. Only one copy of the color chip sheet is required.

The **Builder Application, Builder Agreement, Builder Construction Deposit, Homeowner Final Review Fees, Homeowner Compliance Deposit and Sewer Fee** must accompany an application for Final Design Review. Incomplete applications or applications without the appropriate fees enclosed will not be scheduled for review. Before final approval, the design will be made available for review by the Community. The ARC shall email the Community that they are preparing to approve the pending application. The Community then has 72 hours to review the plans at the ARC office and email comments or questions. The ARC will then hold a public meeting to respond to these comments and render a final decision.

The ARC will return one set of support documents to the Applicant with its decision, except for color chip sheets which will be retained by the ARC. Applicants are invited to attend meetings of the ARC for input regarding their respective submittals.

- **The ARC may take up to 30 calendar days to review Final Design Review Application; however, most applications will be evaluated within 14 calendar days.**
- **Changes to Final Design Review Application and Design Documents, including color changes, must be resubmitted to the ARC for approval in writing.**

**S4.7 PRECONSTRUCTION MEETING.** After Final Design Review, the ARC Chairman will provide an approval date to begin construction. A job site meeting will be arranged by the ARC Administrator with the Applicant and/or builder.

The following items will be discussed prior to the construction.

- Silt fencing requirements prior to grading
- Cutting of driveway curb
- Installation of rock at driveway location to prevent mud from accumulating on the street or near the construction site
- Posting of the building permit
- Any cutting or filling that may be necessary
- Rough staking
- Identify trees to be protected from damage or destruction

- Sewer System location and installation details
- Vacant Lot usage

**The ARC approval to begin construction must be in hand prior to issuance of a building permit.**

**S4.8 TRDA BUILDING PERMIT.** Portions of Rarity Bay are located within Loudon and Monroe Counties. Applicants building homes on a lot in Loudon County must obtain a building permit (see Appendix C) from the Tellico Reservoir Development Agency [TRDA] and no further permitting is necessary. For additional information and permit fees, contact:

**Tellico Reservoir Development Agency  
59 Excellence Way  
Vonore, TN 37885  
(423) 884-6868**

For homes on lots in Monroe County, a building permit must be obtained from the TRDA and Monroe County. For additional information and permit fees, contact:

**Monroe County Clerk's Office  
103 College St.  
Madisonville, TN 37354  
(423) 442-2220**

Upon receipt of a building permit from the TRDA and Monroe County [if applicable], a copy of each shall be provided to the ARC Administrator. Thereafter, construction may commence as approved by the ARC, TRDA, and Monroe County [if applicable].

If the TRDA or Monroe County requires changes to the plans as approved by the ARC any such changes requested by the TRDA must also be approved by the ARC. In such cases, the Final Design Review Application and Design Documents shall be revised and resubmitted to the ARC.

- **The name of the building contractor shown on the TRDA building permit must be the same name as indicated on the Builder Application and Agreement on file with the ARC.**
- **Plan approval by outside agencies typically takes 14-21 calendar days. The TRDA and Monroe County [if applicable] may require plans and specifications in addition to those required by the ARC.**

- **The Licensing Limits as issued by the State Licensing Board must be greater than the cost of the house including hardscapes and landscaping. The ARC has the right to request and review the builders estimate for the cost. This review is only to ascertain that the estimated costs are in line with similar construction for permit purposes.**

**S4.9 FOUNDATION SURVEY.** Upon completion of the foundation or slab [as applicable], the Applicant must submit a survey for *Foundation Block/Slab Review*. All surveys must be sealed by a registered Tennessee Land Surveyor and, at a minimum, include the eight items listed below:

1. Property lines with dimensions
2. Wildlife corridors, shoreline buffers and 820' contours
3. Easement with dimension
4. Building setback lines with dimensions
5. Building location with dimensions
6. Building corners with dimension to property lines
7. Top of curb grade at center of front property line
8. Basement or first floor elevation [*as applicable*]

**THIS SURVEY MUST BE SUBMITTED PRIOR TO THE COMMENCEMENT OF ANY FRAMING.**

If foundation is incorrectly placed, Applicant must cease construction and meet with the ARC to determine remedies. **CONSTRUCTION MAY NOT PROCEED UNTIL A FINAL REMEDY IS ESTABLISHED.**

Foundation surveys shall also include one of the following certifications as applicable:

- **CERTIFICATION TO:     Rarity Bay Community Association, Inc.**

**The slab location and finish floor elevation for the subject property are in compliance with the Site Development (Lot Grading) Plan approved on [insert date] by the Rarity Bay ARC and are within the required setback.**

- **CERTIFICATION TO:     Rarity Bay Community Association, Inc.**

**The foundation location and basement floor elevation for the subject property are in compliance with the Site Development (Lot Grading) Plan approved on [insert date] by the Rarity Bay ARC and are within the required setback.**

Foundation surveys will be reviewed within two business days of receipt. Upon completion of Foundation Review, the Applicant may proceed with construction.

**S4.10 FINAL INSPECTIONS.** The final step of the approval process is final approval and issuance of a Certificate of Compliance. Applications for final approval consist of submitting the following items:

1. Certificate of Occupancy from governing authority
2. Final Survey which must show the following:
  - a. Property lines with dimensions
  - b. Wildlife corridors, shoreline buffers and 820' contours
  - c. Easements with dimensions
  - d. Building setback lines with dimensions
  - e. Building location with dimensions
  - f. Building corners with dimensions to property lines
  - g. Driveways and aprons with dimensions
  - h. Walkways
  - i. Porches, patios and pool decks with dimensions
  - j. Fencing
  - k. Retaining Walls
3. Final grading as-built which shows:
  - a. Final grades for building corners
  - b. High/Low points and breaks in grade
  - c. Arrows showing direction of drainage flow
  - d. Final grades of homesite corners
  - e. Swales & Mounds
  - f. Sewer Tank location and grading (includes street connection, street valve, shut off location)
  - g. Protected trees still healthy and undisturbed
  - h. Shore line protected as agreed

At the completion of construction, the ARC professional consultants will inspect the exterior of the house, site drainage, hardscapes and landscaping to verify all components are installed per the approved plans. Any deficiencies must be corrected before final approval will be granted.

The ARC will review the completed Final Inspection Checklist and the comments from the professional consultants. The application for Certificate of Compliance should be submitted and the ARC will issue a Certificate of Compliance.

## **Section Five (S5)**

### *Design Standards*

**S5.1 ARCHITECTURAL DESIGN.** Due to the rural setting of Rarity Bay, architectural styles that interact with and enhance the environment in a positive way have been chosen: County French and Casual Country. Both of these themes accomplish the goal by utilizing simple forms and wall planes, while providing quaint, comfortable, distinctive features that utilize natural materials. In addition, these styles and accompanying features can provide a sense of lifestyle that compliments the natural setting and amenities of this peninsula community.

Country French and Casual Country are expressed through the use of architectural details, enriched materials, appropriate colors, and specialty accents as set forth in the Design Standards in this section. Some homes will be reminiscent of the timeless designs of the past while others will reflect a more relaxed style so long as the predominate characteristics and materials are appropriately exhibited.

Country French and Casual Country are comfortable, graceful styles, yet well-seasoned with the youthful spirit of the American lifestyle. The themes are a mixture of color, texture and light that welcomes and charms in a way that is refreshing and open. Both styles are subject to broad interpretation, which is why they can be adapted so appropriately to the region of East Tennessee.

Generally, these styles are eclectic and asymmetrical with a strong sense of cohesiveness. Home designs tend to be more biased to the function of long-term practicality rather than to fashionable passing trends. The partnership of materials and colors integrated into the architectural details and elements cause each home to emerge with a unique but traditional American personality. Country French and Casual Country are not intended to be contrived or pretentious, rather distinctively comfortable, appealing and exquisitely crafted.

Country French and Casual Country are generally characterized as quaint rustication. However, the styles can be as elegant as an estate, simplistic as a cottage, homey as a sprawling ranch and majestic as the Renaissance *mas* or farmhouse.

The characteristic of Country French and Casual Country are express in a variety of architectural elements, features and finishes such as:

- Bold asymmetrical massing with some symmetry at front facades or entries
- Steeply pitched roofs, hipped with double pitched or flared eaves
- Chimneys traditionally of rubble stone, brick, stucco or a combination thereof
- Hipped, arched or gable dormers either glazed or vented



- Quoin ornamentation
- Bowed and angled bay windows
- Decorative and soft arch [*flattened*] windows with divided lights
- Combinations of stucco, stone, brick
- Subdued colors, neutrals and earth tone accented with rich colors

**S5.2 SITE PLANNING**. The dominance of nature over the built environment is one of the most important traits of the rural character. The home should be oriented and designed in response to the individual characteristics of the site. Integration with the topography, trees, vegetation and natural features of the land are of utmost importance.

It is the intent of the standards and guidelines in this section to discourage idiosyncratic siting of homes and to impose setbacks and yard zones that are consistent with the overall character of the community.

Lots at Rarity Bay have siting requirements that will affect the orientation of homes. These include easements, sight distances at intersections, maximum buildable areas, and other requirements. This section of the Design Guidelines manual includes a summary of key standards that apply to lots as well as the minimum size of structures constructed thereon. Additional details are available throughout the remaining sections.

**S5.2.1 Orientation**. The ARC requires the front of homes to be oriented, but not necessarily parallel to the front of lots. Homes on corner lots may be rotated at an oblique angle, oriented to the intersection of the two streets so long as the structure is located within the Maximum Buildable Area.

**S5.2.2 Building Setbacks and Maximum Buildable Areas**. The principal structure is the main body of the home, and accessory structures include detached garages, guest houses, gazebos, trellises and other similar structures as may be approved by the ARC. Except for boat docks, decks, porches and fences as may be approved by the ARC and/or TVA [*as applicable*], the principal structure and any accessory structures shall be located within the Maximum Buildable Area of a lot as established by the minimum front, side and rear yard setbacks, which vary by lot type and classification.

- **See lot classifications and standards in Section S5.2.11 exhibit including specific setbacks, Maximum Buildable Areas, and minimum structure sizes.**

**S5.2.3 Maximum Site Coverage**. The maximum area of a lot that may be covered by primary and/or accessory structures shall be 50 percent of the base acreage of the site.

**S5.2.4 Maximum Building Height**. The maximum building height for single-family homes shall not exceed two stories, excluding basements (walk-outs) and living space contained within the limits of roof structures.

**S5.2.5 Easements.** Landscaping and the building of driveways, retaining walls, decks or fencing within easements may be permitted, subject to the approval of the ARC. Any costs associated with the removal and/or replacement of improvements within easements, as may be required by the ARC, golf course owners, utility companies or government agencies, are the responsibility of the Owner.

**S5.2.6 Sight Distances: Intersections and Driveways.** No fence, wall, hedge, shrub or tree planting shall be placed, permitted or maintained where such improvements would create a traffic or sight problem at intersections for corner lots or at the intersection of street property lines and driveways, alleys, golf cart paths, or pedestrian trails.

**S5.2.7 Garages and Driveways.** Driveway side yard setbacks and garage size and loading vary by lot type and classification.

- **For additional details, see Garages and Driveways in Section S5.9**

**S5.2.8 Porches, Patios and Pool Decks.** Porches, patios and pool decks shall be located within the Maximum Buildable Area. Such items may extend beyond the Maximum Buildable Area, but only with the approval of the ARC.

- **For additional details, see Stoops, Entries, Porches and Decks in Section S5.11 and Pools and Spas in Section S5.12**

**S5.2.9 Fences, Walls and Planters.** Siting requirements for these elements vary by type and application as well as the size of lots.

- **For additional details, see Fences, Walls and Planters in Section S5.13**

**S5.2.10 Play Equipment.** Play Equipment, as may be approved by the ARC shall be limited to the Maximum Buildable Area of rear yards. Exceptions apply for basketball standards under certain conditions.

- **For additional details, see Play Equipment in Section S5.15**

**S5.2.11 EXHIBIT: LOT CLASSIFICATIONS AND STANDARDS.**

Exhibit: Summary of Lot Classifications & Standards								Section	5.2
								Page	
								Date	5/8/2013
Lot Type	Lot Classification	Min Front Yard (1)		Min Interior Side Yard		Min Exterior Side Yard (2)	Min Rear Yard	Max Buildable Area (3)(4)	1st Floor Min Finished Sq Ft (5)
		Garage	Other	Min	Total				
A	Custom Waterfront	30'	40'	15'	35'	25'	35'	85' x 75'	2250
A	Custom View	30'	40'	15'	30'	25'	20'	70' x 70'	2000
A	Custom Golf Front	30'	40'	15'	30'	25'	20'	70' x 70'	2000
B	Production Luxury	25'	30'	10'	20'	20'	20'	70' x 65'	1600

**NOTE:** All setbacks are subject to easements for utilities, drainage, conservation areas, wildlife corridors and shoreline restrictions.

(1) The front yard setback for "garage" and "other" are interchangeable.

(2) Applies to street frontage side yards for Corner Lots.

(3) All Structures shall be set back from the periphery of Rarity Bay not less than 35'.

(4) Maximum area of a Lot that may be covered by Structures shall be 50 percent of the base acreage of the site.

(5) 1st floor minimum finished Sq. Ft is defined as the main-level heated living area of the primary structure.

(6) Subject to change by the ARC

**S5.3 SITE DEVELOPMENT.** No bulldozing, clearing, filling, grading, or tree removal shall commence on a lot until the appropriate Design Documents have been submitted to and approved by the ARC as part of Final Design Review and permits have been received from government agencies with jurisdiction over the improvements and the job site meeting with the ARC Administrator has taken place.

**S5.3.1 Limits of Clearing.** To the extent reasonably practical, the clearing of mature trees on lots shall be limited to areas required to accommodate the structure and its normal and customary accessories, open yard areas and those limited areas required to permit utility services and driveways.

**S5.3.2 Trees to Be Saved.** Care shall be taken to protect the root system of trees to be saved. Protective tree fences shall be installed for mature trees as requested by the ARC. The existing grade for such trees shall be maintained from the trunk to the drip line until retaining wall, tree wells or aerators can be installed as may be required. This includes trees on neighboring properties.

➤ **See Protective Tree Fence Detail and Tree Well Detail in Section S5.27**

**S5.3.3 Vegetation, Debris and Tree Stumps.** Except for environmentally protected areas and portions of lots to remain natural, the entire lot shall be cleared of obnoxious and/or poisonous vegetation, underbrush and debris. Tree stumps in open areas shall be removed or ground below grade. Within the limits of foundations, tree stumps must be removed. Burial of vegetation and constructions materials is prohibited.

**S5.3.4 Grading, Fill and Drainage.** The surface drainage system shall consist primarily of on grade pervious systems. Drainage of individual properties must be planned to provide positive drainage away from the structure without adversely affecting environmentally protected areas, golf course, roadways, common areas or adjoining properties.

In the event that soil must be imported to or exported from the property, the Applicant will be responsible for this cost. There will be no spills or dump sites available with Rarity Bay to receive export cuts or obtain import materials. All soil exported to a site in the Rarity Bay Community must have written permission from the owner who is importing the soil with a copy of the written permission filed with the CAI Administrator. The importer must agree to protect the soil from eroding using the same regulations in S5.3.9.

Adequate provisions must be made to prevent any surface waters from damaging public or private property, or excavations and fill slopes, both during and after construction.

Applicants shall be responsible for grading, fill and drainage construction in accordance with the overall drainage plan and system for the community, as determined by the lot grading plan for the lot as approved by the ARC. Compliance with TVA guidelines for grading lakeside lots is responsibility of the applicant.

**S5.3.5 Retaining Walls.** Subject to the approval of the ARC, retaining walls may be used to facilitate grade changes or to protect the root system of existing trees where the finish grade has been cut below the natural grade. Details for retaining walls at a height of 5'-0" or higher shall be prepared and sealed by a registered structural engineer or architect.

Review and approval of retaining walls by the ARC shall not impose any responsibility for the design or construction of retaining walls, including, but not limited to the adequacy, structural integrity or life/safety requirements of such improvements. The scope of any review and approval by the ARC shall be limited solely to where the plans meet certain requirements, standards and guidelines relating to aesthetics, and the harmony and compatibility of the proposed improvements of Applicant's lot with other improvements to be constructed with the community.

The following materials are "permitted" for use as retaining walls:

**Permitted**

- Stone
- Brick
- Concrete block with stucco, stone or brick veneer
- Reinforced concrete with stucco, stone or brick veneer
- Retaining wall block

➤ **Other materials will be evaluated on their own merit by the ARC, but are subject to disapproval.**

**S5.3.6 Finished Grading.** Water must be applied as necessary during site grading to provide optimum moisture content to the soil. Planting areas are not to be graded when their moisture content is so great that excessive compaction occurs, or so little that dust is formed and dirt clods will not break up.

Final grading of planting areas shall include light rolling, raking and hand work. This is necessary to achieve the desired contour and the flow line patterns and to insure evenly finished surfaces with proper drainage.

**S5.3.7 Mounds and Swales.** Mounds and swales shall be planned with smooth and graceful transitions between changes at the top and toe of slopes.

**S5.3.8 Lot Grading Plans.** Lot grading plans shall be **prepared and sealed by a registered Civil Engineer**. Review and approval of lot grading plans by the ARC shall not impose any responsibility for the adequacy, design or construction of any such site grading or drainage systems. The scope of any review and approval by the ARC and its consultants shall be limited solely to where the plans meet certain requirements, standards and guidelines relating to aesthetics, and the harmony and compatibility of the proposed improvements on Applicant's lot with other improvements to be constructed within the community.

**S5.3.9 Erosion and Environmental Control.** Temporary swales, environmental fences, silt fences, straw bales and other sediment control methods must be undertaken prior to construction to prevent debris and silt from intruding upon environmentally protected areas, golf course, roadways, common areas or adjoining properties. Applicants are required to comply with applicable governmental regulations and code requirements regarding run-off and the installation and maintenance of sediment control devices.

Silt fences shall be installed in accordance with details contained in this Section and must be inspected and approved by the ARC Administrator. Silt fence and other sediment control shall be inspected following each rain event and sediment removed as necessary. All sediment control including silt fence, shall be properly maintained and remain in place until all site construction is complete and normal vegetation is established. **Any mud or silt run-off onto roadways or any adjoining property shall be removed by the end of the current workday or the end of the following workday if on the weekend by the Applicant or, at the discretion of the ARC, said run-off will be removed by the ARC at the expense of the Applicant.**

- **If a lot is cleared but construction does not commence within 15 days of clearing, the Applicant will be required to plant grass seed or to cover cleared areas with mulch or pine straw as may be requested by the ARC Administrator.**
  
- **See Erosion Control Detail in S5.27a**

Erosion control measures shall be taken around all excavation areas and areas of disturbed vegetation on a construction site throughout the building process. Placement of barriers such as erosion fabric fences shall be properly erected with stabilizing trenches and maintained throughout the building process for all down-hill slopes 15 percent or less and around any temporary earth storage pile. The total lake perimeter of the construction site and all slopes between fifteen (15) percent and twenty (20) percent grade shall be protected with a double erosion fence. All areas above twenty (20) percent shall be lined with a double erosion fence plus straw bales reinforcing the lowest erosion fence. Additional erosion control measures may be required by the CAI representative to effectively protect against erosion. Failure to comply or maintain the prescribed erosion control shall result in a stop work order until all prescribed erosion control measures are in place. Continuous violations may result in additional punitive measures as determined by the CAI. Excavated materials retained on the building site are to be protected with temporary seeding if left for more than fifteen (15) days.

Permanent measures for erosion control include the use of plant materials and the proper grading of the site. The design of drainage shall use natural systems whenever possible. Pervious surfaces rather than hard surfaces are encouraged to promote ground percolations.

**S5.3.10 Dumpsters.** Dumpsters are required on all job sites.

## **S5.4 UTILITIES**

**S5.4.1 Utility Services.** Underground utilities shall be made available to every lot and service shall be provided by the following companies:

- **Electric:** Loudon Utilities
- **Sanitary Sewer:** Rarity Bay Community Association, Inc.
- **Water:** Tellico Area Service System (TASS)
- **Natural Gas:** Loudon Utilities
- **Telephone:** TDS Telecom
- **Cable Television:** Comcast

**S5.4.2 Utility Fees and Charges.** Applicants shall be responsible for all fees, deposits or other costs charged by a utility company for extending, installing and providing utility services to structures.

**S5.4.3 Utility Meters and Connections.** Meters and other utility connections for natural gas, electric, telephone and cable television shall be located within service areas along the side yard wall of structures. The interface for phone equipment shall be installed within service areas or inside the garage if permitted by the telephone company.

**S5.4.4 Cable Television.** All structures shall be wired to the house for cable television service compatible with the community cable system.

**S5.4.5 Wells.** Lots located on Lake Tellico may draw upon lake water for irrigation purposes with the approval of the ARC and TVA. Wells for potable water or irrigation are not permitted on any lots within the community. Geo Thermal wells may not be drilled and used for irrigation purposes.

**S5.4.6 Sewer.** Each Applicant is required to install an interceptor tank and pump system for sewage as specified by the Community Master Association. See Appendix D for installation instructions.

## **S5.5 EXTERIOR ELEVATIONS AND MATERIALS**

**S5.5.1 Foundation Materials.** All exposed portions of foundations must be finished with one or more of the following materials:

- Stucco
- Brick
- Stone

Foundation materials shall follow the grade lines rather than steps in the footings. Exposed concrete footings are not permitted. In certain situations, base landscaping may be required to mitigate the visual impact of exposed foundation walls or walkout basements.

**S5.5.2 Exterior Wall Materials.** Exterior wall finishes, veneers and materials will be evaluated on their own merits by the ARC. Permitted materials in this section do not imply that a specific type, brand, color or installation technique is approved. For example, natural or manufactured

stone is a permitted material. However, not all brands, colors or manufacturers are permitted. Subject to the preceding provisions, the following exterior wall materials are “permitted” or “not permitted” for use within the community.

### **Permitted**

- Stucco [*cement-based or synthetic coatings*]
- Brick
- Stone [*natural or manufactured*]
- Fiber-cement siding [*as specified in section S5.5.6*]
- Board and batten siding [*limited accents only*]
- Lap Siding of any material [*limited accents only*]

### **Not Permitted**

- Plywood siding
- Decorative concrete block
- Exposed concrete
- Vinyl siding
- Aluminum siding
- Imitation brick
- Stucco with laced [*Spanish*] or adobe finishes
- Wood Siding

### **S5.5.3 Stucco Finishes**

- A. Type. Stucco finishes may include cement-based stucco or synthetic coatings.
  - **For purposes of the Design Guidelines Manual, the use of the word “stucco” shall mean and refer to cement-based stucco and synthetic coating, unless the context indicates otherwise.**
- B. Texture. Smooth, sand, light hand troweled, and light dash coat finishes are permitted.
  - **Excessive joining marks between coats of stucco, due to scaffolding and construction techniques, must be avoided and may be a cause for rejection in the field by the ARC.**
- C. Quoins. Quoins may be staggered space corners, stacked corners and alternating stacked corners. Alternating space corners are not permitted.



#### **S5.5.4 Brick Veneer**

- A. **Textures.** Wood mould and sand faced bricks are highly recommended for exterior elevations. Other brick textures will be evaluated on their own merit by the ARC, but are subject to disapproval.
- B. **Sizes.** Modular (7 5/8"W x 2 1/4"H x 3 1/2"D) and standard (8"W x 2 1/4"H x 3 1/2"D) brick sizes are recommended. Other sizes will be evaluated on their own merit by the ARC, but are subject to disapproval.

**S5.5.5 Stone Veneer.** Natural stone and high-quality manufactured stone products are permitted for exterior walls, chimneys, planters, low walls and other applications.

Consideration should be given to the type, texture and color of stone as well as its consistency with the architectural style of the home. Individual types of stones will be evaluated on their own merits by the ARC.

#### **Permitted**

- Rubble
- Ashlar
- Flagstone
- Sandstone
- Granite

#### **Not Permitted**

- River Stone
- Oversized vertically oriented stones
- Some smooth cut crab orchard pattern
  - **For purposes of the Design Guidelines Manual, the use of the word “stone” shall mean and refer to natural and manufactured products, unless the context indicates otherwise.**

**S5.5.6 Fiber-Cement Siding.** Fiber-cement siding is limited to small area accents as approved by the ARC.

**S5.5.7 Wood Siding and Accents.** Wood may be used for raised porches, decks, railings, columns and posts, entry doors, bay or box windows, fascias, soffits, dormers, cupolas, and gable ends.

- **All exposed wood products, as may be approved, must be finished with solid stain or paint. This includes wooden decks and railings. Other than for use on entry doors, semi-transparent stains are highly discouraged.**

**S5.5.8 Windows.** Windows may be fabricated from painted aluminum, vinyl, pre-finished aluminum or vinyl clad wood. Mill finish aluminum window frames are prohibited. Glazing for windows may be clear, bronze or grey tinted only. All other tint colors must be approved by the ARC. No reflective glass is permitted.

Window shall be typically rectangular in shape and the use of half round, flattened arch or rectangular transoms are encouraged. Where appropriate, the use of specialty windows with round, oval or octagonal shapes are permitted.

Window sashes may be single-or double-hung (horizontally divided), casement (vertically divided), or horizontal rollers.

Bay windows may be boxed, bowed or angled. Unless otherwise approved by the ARC, boxed bay windows shall include appropriate knee braces or other supporting details.

- **Structures with a wall plate height in excess of 8'-0" shall take into consideration the need for transoms or windows of greater height to maintain proper scale and massing.**

**S5.5.9 Window Grilles and Balcony Railings.** Subject to ARC approval, wrought iron ornamentation may be used for windows grilles and balcony railings (pseudo or actual). Burglar bars, steel security bars, and similar devices are not permitted for installation on the exterior of windows or doors.

**S5.5.10 Shutters.** The use of shutters, consistent with the window form, are encouraged, and may be required in some cases. Operable shutters are highly recommended; however, fixed decorative shutters are permitted. Concrete or vinyl shutters are not permitted. The following types and styles are permitted:

- Louver
- Panel
- Batten

**S5.5.11 Dormers.** Roof or wall dormers shall be centered over lower widows or other dominate elements of the home. Dormers may be glazed or vented. The following types and styles are permitted:

- Hip
- Flat Arch

- Gable
- Shed
- Eyebrow

**S5.5.12 Front Entry Doors.** The entry of a home should create a sense of arrival and a warm, inviting feeling. Front entry doors should include either a pair of doors with or without sidelights or a single door with sidelights on at least one side. The uses of transoms are encouraged. Stock leaded glass doors and stock steel doors are discouraged.

## **S5.6 ROOFS**

**S5.6.1 Roof Styles and Pitches.** Gable, hip and jerkin head roofs are preferred styles for the community. Conical roofs and other limited design elements will be considered on their own merits by the ARC.

The minimum roof pitch shall be 8:12 for primary roof elements. The ARC may require a steeper roof pitch to conform with the roof pitches already established in the neighborhood. For small roofs, (dormers, porches & patios) the ARC may approve a minimum pitch of 4:12 so long as any such elements are used on a limited basis and are considered essential to the overall architectural character of the home.

A flat or parapet roof may be approved if it is not a dominant feature of the home and if it is part of an integral design element such as a covered porch. Freeze boards, multi-step fascias and other detailing may be required by the ARC to ensure that flat roofs are compatible with the architectural character of the home.

**S5.6.2 Roof Shingles.** A variety of roof shingles may be used within the community and the following include those types that are “permitted” or “not permitted”.

### **Permitted**

- Dimensional asphalt shingles [*heavy profile*]
- Flat concrete tile [*smooth, broom swept or shake finish*]
- Slate [*actual or simulated*]
- Flat clay tiles [*clay barrel tiles allowed only for ridges and hips*]
- Copper, terne and zinc [*limited application*]
- Metal shakes [*dependent on color only*]

### **Not Permitted**

- Non-dimension or monochromatic asphalt shingles. Three-tab shingles.
- Barrel tile
- “S” tile

- Roll tile
  - Metal [*except as noted above*]
  - All other roofing materials
- **Non-painted metal may be used on a limited basis for minor roof elements such as porticos, cupola, finials, bay windows, eyebrow or arched top dormers, and similar items.**

**S5.6.3 Plumbing Vents and Stacks.** All plumbing stacks and vents shall be painted to match the adjacent roof or wall material. Such items shall be grouped on the rear slopes of roofs where possible and should not extend above the ridge line.

**S5.6.4 Valleys.** All valleys should be laid to form “closed” valleys. If metal valley flashing is used, the color shall match the roof color.

**S5.6.5 Flashing.** No exposed natural [*mill finished*] aluminum or unfinished galvanized flashing is permitted unless shown on plans and specifically approved by the ARC. All exposed step flashing for brick homes shall be copper.

**S5.6.6 Skylights.** Skylights are discouraged on the front elevation of homes and may be denied in any location based on size, location, quantity or for aesthetic reasons. Glazing must be clear, solar bronze or white. Framing material must be bronze or colored to match the roof. Reflective glazing or mill finish aluminum are not permitted.

**S5.6.7 Fascias.** Fascias shall be aluminum, vinyl, wood or other approved materials.

**S5.6.8 Soffits and Vents.** All soffits are to be vented as per applicable building codes and shall be composed of aluminum, vinyl, stucco, wood, cement fiber composite, or other approved materials.

**S5.6.9 Roof Drainage and Gutters.** Water from roofs and gutters shall be directed away from the foundation and to front, side or rear yards in accordance with the lot grading plan. Approved colors for gutters are copper, verde green, bronze, white or earth tones compatible with the main body of the structure.

**S5.6.10 Ridge Vents.** Unless otherwise approved by the ARC, a concealed vent system shall be used on all asphalt shingle roofs. Exposed metal ridge vents for other types of roofs must be painted to match the roof color and installed on rear slopes where possible.

## **S5.7 ENERGY CONSERVATION EQUIPMENT**

**S5.7.1 Solar Collectors.** No solar collector panels or attendant hardware or other energy conservation equipment shall be constructed or installed on any lot unless it is an integral and

harmonious part of the architectural design of a structure, as determined in the sole discretion of the ARC. Solar collectors shall be flush mounted and installed parallel to the pane of the roof. Whenever possible, solar collectors shall be located on a roof exposure shielded from view from the street to the maximum extent. Panels and frames must be bronze or colored to match the roof color. Mill finish aluminum is prohibited.

## **S5.8 FIREPLACES AND CHIMNEYS**

**S5.8.1 Fireplace Types.** The following types of fireplace are approved for use within the community:

- Masonry firebox and flue [*wood-burning or gas*]
- Pre-fabricated metal firebox and flue [*wood-burning or gas*]
- Pre-fabricated metal firebox with direct vent [*gas*]

**S5.8.2 Chimney Materials.** Chimney details shall be shown on floor plans and elevations submitted for Final Design Review. Chimneys may be battered, straight, or stepped. Singular application or combinations of exterior materials are permitted for chimneys. Chimneys may be constructed of brick, stone or stucco.

- **No chimneys shall be permitted to be clad with wood siding, cedar shingles, fiber-cement products or imitation brick.**
- **Chimneys are to extend from the foundation up. No cantilevered chimneys are permitted.**
- **Chimneys may not be capped mid-wall but extend past the eave or roof to meet code clearances.**

**S5.8.3 Chimney Caps.** The color of chimney caps must complement roof colors and wall materials of the home. Unless otherwise approved by the ARC, chimney caps shall be construction of the following:

- Clay
  - Stone
  - Brick
  - Decorative Metal
- **If the fireplace is pre-fabricated with a metal flue and spark arrestor at the top of the chimney, the spark arrestor must have a cowling or decorative surround as approved by the ARC. The Applicant is solely responsible for determining if the chimney cap is approved by the manufacturer.**

- **Product photos for chimney caps shall be submitted for Final Architectural Review.**

## **S5.9 GARAGES AND DRIVEWAYS**

**S5.9.1 Garage Types and Siting.** Garages may be integrated into the main structure, totally detached or connected to the home through the use of a breeze way, patio, garden room or other similar elements. Attached or detached garages must be located within the Maximum Buildable Area of the lot. All garages must be fully enclosed. Carports are not permitted.

**S5.9.2 Garage Loading.** A variety of garage loading conditions are permitted to accommodate the topography and to create variety along streetscapes. Subject to setbacks and design standards contained in the Manual, the following types of garage loading are permitted with the approval of the ARC:

GARAGE LOADING	CARS			
	1	2	3	4
Front Entry	✓	✓	✓	
Court Entry Standard	✓	✓	✓	
Court Entry: Split				✓
Side Entry Standard	✓	✓	✓	
Side Entry Split				✓

- **Garages may be subterranean on any lot where site conditions reasonably permit such design and driveway access is available.**
- **Front-loaded garages are highly discouraged where courtyard or side-loaded garages can be achieved.**
- **Rear-load garages will be reviewed on a case by case basis.**

**S5.9.3 Garage Facades.** For 3 or 4 car garages, no more than 2 doors may exist on the same plane. In such cases, the third garage door is recommended to be off-set by a minimum of 2’.

**S5.9.4 Garage Doors.** The use of individual garage doors is encouraged for each car; however, double bay doors are permitted. The minimum width for garage doors shall be 8’ for a 1 car

garage and 16' for a 2 car garage. The maximum plat height for garage doors shall be 10' with a maximum 9' garage door height.

Overhead garage doors with raised panel designs and glazing are recommended. Other types are subject to the approval of the ARC. Garage style doors are encouraged. Flush door panels are not permitted.

- **All garage doors shall be equipped with automatic garage door openers.**

**S5.9.5 Driveway Layout and Slopes.** Subject to easements and drainage, driveways shall be set back a minimum of 5'-0" from the side lot line. Driveways shall be constructed with uniform slopes not greater than 12% average to ensure positive drainage.

**S5.9.6 Driveways Finishes.** For single family homes, to maintain a consistent appearance, driveway finishes shall be continuous from the back of the curb to the garage. Unless otherwise approved by the ARC, the following materials and finishes are "permitted" or "not permitted":

**Permitted**

- Broom finish concrete with picture frame edging
- Broom finish concrete with exposed natural stone aggregate
- Broom finish concrete with brick, stone or aggregate banding
- Stamped concrete with approved color agent
- Brick
- Brick pavers
- Natural stone pavers
- Precast or interlocking concrete pavers
- Stone set in mortar

**Not Permitted**

- Asphalt
- Chattahoochee set in epoxy
- Mulch, pine bark or pine straw
- Common stone aggregate or gravel
- Polished rock
- Glazed ceramic tile and composite tile
- Unfinished concrete

No family names, initials, numbers, crests, logos or similar items may be applied to or set in driveway surfaces during new construction or thereafter.

The addition of an approved color agent is highly recommended to reduce glare and to improve consistency for broom finish concrete driveways even in cases when the desired color is grey.

The materials, finishes and colors for driveways may not be changed after completion of new construction without the written approval of the ARC.

**S5.9.7 Driveway Radius and Curb Cuts.** When curbs are required to be broken for driveways, the curb shall be saw cut and subsequently repaired by feathering the concrete from the apron to the curb. Traumatized curbs are not permitted.

## **S5.10 WALKWAYS**

**S5.10.1 Walkways.** An entry walkway at least 42” in width shall be provided from the driveway to the front door. Walkway materials, finishes, shapes and colors shall be compatible with the exterior of the structure. The following types or finishes are “permitted” or “not permitted” for walkways:

### **Permitted**

- Broom finish concrete with picture frame edging
- Broom finish concrete with exposed natural stone aggregate
- Broom finish concrete with brick, stone or aggregate banding
- Stamped concrete with approved color agent
- Brick
- Brick pavers
- Natural stone pavers
- Precast or interlocking concrete pavers
- Stone set in mortar

### **Not Permitted**

- Asphalt
- Chattahoochee set in epoxy
- Mulch, pine bark or pine straw
- Common stone aggregate or gravel
- Unfinished concrete
- Random stepping stones or precast blocks
- **The materials, finishes and colors for walkways may not be changed after completion of new construction without the written approval of the ARC.**

## **S5.11 STOOPS, ENTRIES, PORCHES AND DECKS**

**S5.11.1 Country Porches and Raised Decks: Front Yards.** Country porches and raised decks with wood planking or other approved material are not permitted for front yards.



**S5.11.2 Country Porches and Raised Decks: Side and Rear Yards.** Country porches and raised decks with wood planking or other approved materials are permitted in side or rear yards within the Maximum Buildable Area. Such improvements may extend beyond the Maximum Buildable Area, but only with the specific approval of the ARC. Wood steps integrated in any such design approach shall have closed risers.

- **The open areas of country porches and raised decks must be concealed with masonry lattice or other forms of permanent screening such as stucco, brick or stone.**
- **Columns and exposed faces of elevated decks must be clad in a material comparable to the principal structure – wood deck posts, when approved must be a minimum of 8”x 8”.**

**S5.11.3 Porches, Patios and Pool Decks: Side and Rear Yards.** Porches and patios are permitted in side and rear yards within the Maximum Buildable Area. Such improvements may extend beyond the Maximum Buildable Area, but only with the specific approval of the ARC.

Pool decks may be located in rear yards or within the court area of structures with a central courtyard or atrium.

- **For minimum pool setbacks, see Section 5.12.1A**

**S5.11.4 Porches, Patios and Pool Decks: Finishes.** Unless otherwise approved by the ARC, the following finishes for porches, patios and pool decks are “permitted” or “not permitted”:

**Permitted**

- Broom finish concrete
- Concrete with exposed natural stone aggregate
- Broom finish concrete with brick, stone or aggregate banding
- Concrete with specialty coatings
- Stamped concrete with approved color agent
- Brick
- Brick pavers
- Natural stone pavers
- Precast or interlocking concrete pavers
- Stone set in mortar
- Glazed ceramic tile, composite tile
- Pressure treated wood

**Not permitted**

- Chattahoochee set epoxy
- Unfinished concrete

**S5.12 POOLS AND SPAS.** Pools and spas shall be shown on the appropriate Design Documents and submitted as part of Final Architectural Review. The location, design, materials and colors of pools and spas are subject to approval of the ARC.

**S5.12.1 In-Ground Pools and Spas**

- A. **Location.** In-ground pools and spas shall be located within the Maximum Buildable Area in rear yards or in the court area of structures designed with a central courtyard or atrium. Subject to easements, the deck area surrounding in-ground pools or spas may extend to within 15' of the rear property line.
- B. **Elevation Off Grade.** The elevation of in-ground pool or spa decks shall not be greater than 1' above the finish grade at the outside edges of the deck.
- C. **Pool Equipment.** All pumps, filtration and other equipment must be “buffered” from the street, adjoining properties and the golf course. Unless other alternatives are available and approved by the ARC, any such equipment shall be screened by a “service fence” or located below grade in an equipment vault.

**S5.12.2 Portable Spas.** Portable spas with a water surface area of less than 100 square feet may be permitted so long as the framing, color, location and screening are approved by the ARC. Portable spas must be located within the Maximum Buildable Area on stable foundations such as pool decks, patios and covered porches.

**S5.12.3 Pool and Spa Protection.** Pools must be enclosed on exposed sides by fencing, and portable or in-ground spas must be enclosed by fencing.

- **Compliance with building and safety codes are the responsibility of the Applicant.**

**S5.13 FENCES, WALLS AND PLANTERS.** In order to create a sense of privacy between lots, Applicants are encouraged to draw upon natural resources such as berms, tree clusters and other types of landscaping techniques. Except as may be required for service areas and for safety purposes around pools and spas, the use of fencing is prohibited. The location, design, materials and colors of any such elements are subject to the review and approval of the ARC.

**S5.13.1 Fence and Wall Types.** Depending on the location and /or function, fences and walls are classified as one of the following:

- Pool Fences
- Service Walls
- Privacy Walls
- Courtyard Walls
- Decorative Walls and Planters

**S5.13.2 Pool Fences.** Swimming pools and spas shall be protected with a railing which conforms to the following requirements:

- A. **Location:** Within the side and rear yard setback and within 15' of the pool deck, except as otherwise noted in the Design Guidelines Manual.
- B. **Height:** Per local code requirements
- C. **Design:** Pool fences shall conform to the *Pool Fence Standards* in Section 5.13.9.
  - **Code compliance and safety regarding pools and spas are the responsibility of the Applicant.**

**S5.13.3 Service Walls.** Service walls or landscaping must be used to screen HVAC compressors, pool/spa equipment, garbage receptacles, log storage and similar items from the street, adjoining properties and/or golf course. **The location of HVAC equipment must be approved by the ARC so that it has minimal impact on surrounding properties.** Service walls shall conform to the following requirements:

- A. **Location.** Side or rear yards. May extend 5' into the side yard setback.
- B. **Height.** 6" higher than the mechanical equipment or other items to be maintained in this area up to a maximum of 5'.
- C. **Materials.** Service walls shall include a cap for definition and shall match or be compatible with the exterior finish and color of the structure. Acceptable materials include *stucco, brick or stone.*
  - **Slabs located inside service fence areas shall be designed for positive drainage.**
  - **Garbage receptacles with animal resistant lids may be located within service fence areas, provided the fence is 6" higher than containers.**

**S5.13.4 Privacy Walls.** Privacy walls shall be restricted to *limited applications*, such as providing additional privacy for a specific room within a structure. Privacy walls shall conform to the following requirements:

- A. **Location**. May be located in the front, side or rear yard and must be located within the Maximum Buildable Area.
- B. **Height**. 5'-0" [maximum]
- C. **Materials**. Privacy walls shall include a cap for definition and shall match or be compatible with the exterior finish and color of the structure. Acceptable materials include *stucco, brick or stone*.
  - **In addition to caps, intermediate detailing such as architectural mouldings, banding or decorative inserts may be required for aesthetic purposes.**

**S5.13.5 Courtyard Walls.** Courtyard walls shall be used for providing privacy to the court area of structures designed with a courtyard or atrium. Courtyard walls shall conform to the following requirements:

- A. **Location**: Must be located within the Maximum Buildable Area.
- B. **Height**. 5'-0" [maximum]
- C. **Materials**. Courtyard fences shall include a cap for definition and shall match or be compatible with the exterior finish and color of the structure. Acceptable materials include *stone, brick or stone*.
  - **In addition to caps, intermediate detailing such as architectural mouldings, banding or decorative inserts may be required for aesthetic purposes.**

**S5.13.6 Decorative Walls and Planters.** Low walls may be approved on a *limited basis* for decorative purposes or for planters. Decorative walls and planters shall conform to the following requirements:

- A. **Location**. Within the Maximum Buildable Area.
- B. **Height**. 3'-0" [maximum]

- C. **Materials.** Decorative walls and planters shall include a cap for definition and shall match or be compatible with the exterior finish and color of the structure. Acceptable materials include *stucco*, *brick* or *stone*.

**S5.13.7 General Criteria**

- A. **Design Approval.** Fences, walls and planters shall be shown on the appropriate Design Documents. Details shall show the location, materials and design, including cap details.
- B. **Locations.** Fences, walls and planters shall be limited to the locations provided in this section and are subject to easements.
- **No fence, regardless of type, shall be located directly on the property line. Any reference to “property lines” in this section is for general descriptive purposes only.**
  - **All fences and walls shall be subject to easements and, if approved by the ARC, the Applicant shall be responsible for the cost of removal and replacement of fencing, planters, decks, landscaping and related improvements as may be required by the Declarant, CAI, golf course owner, utility companies, and government agencies.**
- C. **Gates.** Gates for fences, if included, shall be compatible with the fence design and shall be constructed of the following materials:

<u>Type of Fence</u>	<u>Painted or Pre-Finished Aluminum</u>	<u>Wrought Iron</u>
▪ Pool Fences	✓	✓
▪ Service Walls	✓	✓
▪ Privacy Walls	✓	✓
▪ Courtyard Walls	✓	✓

**S5.13.8 Additional Restrictions and Special Conditions.** Additional restrictions may be required for certain lots with unusual conditions or situations not covered by provisions in this section. Special conditions will be evaluated on an individual basis by the ARC.

**S5.13.9 Pool Fence Standard**

ITEM	STANDARD
<b>Style</b>	Open picket
<b>Material</b>	Extruded aluminum or wrought iron
<b>Pickets</b>	5/8" to 3/4" sq.
<b>Picket Spacing</b>	Less than 4" on center
<b>Rails</b>	1" sq. {minimum}
<b>Section Posts</b>	1 1/2" sq. {minimum}
<b>Post Spacing</b>	72" on center {maximum}
<b>Gate and Corner Posts</b>	4" sq. {minimum}
<b>Color</b>	Black
<b>Finish</b>	Polyester powder coating, electrostatic paint or equal
<b>Height</b>	4' – 0"
<b>Gates</b>	36" wide {minimum}/ 48" wide {recommended}
<b>Gates for pool fences shall be equipped with self-closing and self-latching devices.</b>	

**S5.14 ACCESSORY STRUCTURES.** Accessory structures include elements such as detached garages, boat houses, guest houses, gazebos, trellises and other similar elements. The design and location of accessory structures are subject to review and approval by the ARC. Accessory structures shall not exceed a 1 or 1 ½ story profile and shall be located within the Maximum Buildable Area, except for boat houses which are allowed below the 820-foot contour on selected lots and are subject to the approval of the TVA. Colors, materials and detailing of Accessory structure shall be compatible with the architectural character of the home.

**S5.14.1 Trellises.** Trellises are an effective method of producing shade and defining outdoor spaces. Trellises shall have a minimum of two layers of top cross members unless otherwise approved by the ARC. The color of trellises shall match the main body of the structure. If a trellis is laced with canvas, the color must be specifically approved by the ARC.

**S5.14.2 Outdoor Fireplaces and Permanent Barbecues.** Outdoor fireplaces and permanent barbecues shall be integrated with the design of covered porches, pool decks or other portions of the structure. Outdoor fireplaces and permanent barbecues shall be located in the rear yard within the Maximum Buildable Area or the court area of structures designed with a central courtyard or atrium. The installation of free-standing barbecues is permitted subject to review by the ARC.

**S5.14.3 Storage and Tool Sheds.** Areas used for outside storage must be part of the structure and shall be constructed of the same wall finishes, trim and roof materials. Detached storage and tool sheds are not permitted.

**S5.14.4 Gazebos.** Gazebos shall be compatible with the exterior elevation of the structure and shall be constructed using the same type and color of roof shingle. The color of columns, railing, pickets and other details shall match the main body of the structure or its trim.

**S5.14.5 Boat Docks.** See Section 5.32

**S5.14.6 Guest Houses.** Guest houses are permitted and may be attached or detached from the Principal structure.

**S5.15 PLAY EQUIPMENT.** Planning for the recreation of children and young adults is an essential part of life at Rarity Bay. Commercially available play equipment, however, is often less than desirable in appearance. As a result the standards and guidelines in this section have been established to create a balance between the need for play equipment and the impact on streetscapes, adjoining lots and the golf course.

Play equipment includes, but is not limited to, basketball goals, swing sets, jungle gyms, playhouses, play complexes, tree houses, trampolines and similar items. The location, number, size, materials and colors for play equipment shall be reviewed on a case-by-case basis and approval by the ARC is required prior to installation.

**S5.15.1 Location of Play Equipment.** Basketball goals shall be located as provided below. All other play equipment shall be located in the rear yard within the Maximum Buildable Area.

**S5.15.2 Buffer Landscaping.** Except for basketball goals as may be approved below, play equipment shall be buffered by landscaping or other means from the street, adjoining properties and the golf course. The location of play equipment will be evaluated on an individual basis to determine the extent of landscaping required. Generally more extensive landscaping is required for corner lots.

**S5.15.3 Basketball Goals.** Permanent basketball goals may be approved and the location for each request will be evaluated on a case-by-case basis by the ARC.

In order of priority, the preferred location for basketball goal is the (1) rear yard and (2) side yard. However, several factors will be examined when considering a request, such as the size and location of the lot, the siting of the structure on the lot, views from the golf course, the availability of hard surfaces, and the potential damage to landscaping, automobiles, and personal property on adjacent lots.

Regardless of the location, all basketball goals shall have a dark bronze, dark green or black pole with a clear backboard. A landscape buffer may also be required between adjoining lots.

- **No basketball backboards or goals may be attached to any portion of a building structure.**

**S5.15.4 Swing Sets.** Wood swing sets may be made of pressure treated lumber and left natural or stained an earth tone color. Other materials will be considered provided the finish is painted or stained an earth toned color.

**S5.15.5 Playhouses.** The exterior of playhouses may be constructed of wood siding with a cedar shingle roof and may be left natural or stained an earth tone color. Playhouses are limited to 100 square feet in area and a maximum height of 6' above grade. No electrical or plumbing connections are permitted to service playhouses. Other materials will be considered, provided the finish is painted or stained an earth tone color.

**S5.15.6 Play Complexes.** Wooden play complexes may be constructed of pressure treated lumber and left natural or stained an earth tone color. Play complexes may not exceed 150 square feet in area or more than 12' in height above grade. Other materials will be considered so long as the finish is painted or stained an earth tone color. Play complexes with integral playhouses must also conform to playhouse standards in this section.

**S5.15.7 Tree Houses.** Tree houses are not permitted anywhere within the community.

**S5.15.8 Trampolines.** Other than portable trampolines which are moved inside daily, trampolines are not permitted.



**S5.15.9 Skateboard Ramps.** Permanent skateboard ramps are not permitted on any lot within the community.

**S5.15.10 Portable Play Equipment.** Portable play equipment shall be removed daily from yard areas and may be stored in porches.

## **S5.16 EXTERIOR COLORS**

**S5.16.1 Overview.** Color acts as a theme-conveying element reflective of the architectural style within the community. Subdued colors, neutrals and earth tones blend naturally with the rural setting and are the predominate colors permitted for the community. All exterior colors shall be noted on a Color Review Application and submitted to the ARC for approval.

- **The ARC has the authority to require the re-painting of a structure or the removal of exterior material at the Applicant's expense if written approval was not obtained in advance, or if the final colors vary from those originally approved.**
- **Exterior colors shall not be permitted that, in the opinion of the ARC, are considered inharmonious, discordant, incongruous or esthetically displeasing.**
- **Colors which are considered inconsistent or inappropriate for Country French or Casual Country are not permitted.**
- **Exterior colors may not be changed as originally approved without reapplying for and receiving written approval for any such modifications from the ARC.**

**S5.16.2 Color Schemes.** The use of exterior colors has a major impact on how a structure and its architecture are perceived. It can even affect the value of the structure and surrounding properties. Handled properly, color can be an expressive tool.

When planning a color scheme, start by identifying the color of structures on either side and across the street. Examine the native vegetation, tree coverage and availability of sunlight that may influence selections. Determine what colors are suggested by the architectural theme or work best with stone, brick or other exterior finishes that may be included. Thereafter, select colors, in order of priority, starting with the roof, main body and accents.

Roof shingles, which are most often deeper in tone than the main body, usually dominate the overall color scheme. The color of shingles has a considerable influence on the remainder of the

structure, and if only a few colors are available, it is beneficial to select the shingle color before the main body of the structure.

Regardless of which color is selected first, here are some other points to consider before the overall scheme is finalized:

- A. **Contrasting Colors**. Contrasting colors can be helpful in calling attention to specific design elements of a structure. In some cases, contrasting colors can also result in major conflicts. For example, two equally large areas of contrasting colors tend to produce an uneasy effect because they compete with each other. On the other hand, if one of the contrasting colors is utilized for the main body of a structure and the other is used for a minor accent, then the combination may work effectively. Otherwise, large areas of contrasting colors are subject to disapproval.
- B. **Bright Colors**. Bright colors include primary colors as well secondary colors that are bright in tone. Other than for minor accents, bright colors are not permitted.
- C. **Neutral and Earth Tone Colors**. The use of subdued colors, neutrals or earth tones is required for the main body of a home. Light-tones work well for the main body as well as some mid-tone colors. Deep-tone colors are not permitted. Approved colors include, but are not limited to, off-whites, creams, beiges, tans, taupes and greys. Other colors will be considered by the ARC, but are subject to disapproval.
- D. **Accent Colors**. Accent colors can be lighter than the main body of a structure, such as off-white trim on a mid-tone tan body, or they can be deeper such as hunter green shutters on the same mid-tone tan. Regardless of the approach, accent colors can add interest to exteriors, but they must be handled carefully. Too many accent colors and overly contrasting accents may not produce the desired results and, in such cases, are subject to disapproval.
- E. **Color and Design**. Colors will be evaluated on their overall appropriateness for the community as well as the specific architectural style of Country French or Casual Country for which they are being proposed.

**S5.16.3 Wood, Moulded Millwork and Fiber-Cement Products**. All exterior wood must be finished with a solid stain or painted with colors as may be approved by the ARC. Except as may be appropriate for an entry door, semi-transparent stains are highly discouraged. If an exception is made and a semi-transparent stain is approved for wood, the Applicant shall be required to strictly follow the manufacturer's specifications for surface preparation initial application and reapplication.

- **This also includes decks and porches.**

Colors for moulded millwork and fiber-cement siding shall be submitted for approval by the ARC and painted in accordance with manufacturer recommendations.

**S5.16.4 Stucco Colors.** Sample of stucco colors for walls, banding, trim and quoins shall be submitted for approval.

- **Stucco quoins shall be painted off-white [if appropriate] or a similar tone to the main body of the structure. Contrasting colors other than off-white will be considered by the ARC, but are subject to disapproval.**
- **Mildew resistant products should be utilized for all exterior finishes.**

**S5.16.5 Brick Colors.** Mortar colors and brick sample boards for veneer siding, chimneys, planters or other uses shall be submitted for approval.

- **The use of standard mason cement is permitted for most brick. However, colored mortars that blend with brick colors are highly encouraged. White mortar is not permitted.**

**S5.16.6 Stone Colors.** Stone used for veneer siding, chimneys, planters or other uses shall be submitted for approval. Stone colors shall complement the overall color scheme of the structure and shall be submitted to the ARC for approval.

**S5.16.7 Flat Concrete Shingle Colors.** Flat concrete shingles are available in a variety of styles and colors from manufacturers. Some colors are considered acceptable while other are clearly not appropriate for use within the community. Product photos and proposed colors shall be submitted for approval.

**S5.16.8 Slate Shingle Colors.** Colors vary by manufacturer, but generally most slates are available in shades of heather, plum red, green and black. A solid color may be used for slate roofs or a blend may be considered. Product photos and proposed blends must be submitted for approval.

**S5.16.9 Windows and Glass Sliding Door Colors.** White and bronze are pre-approved colors for aluminum windows and glass sliding door frames. Mill finish aluminum is not permitted. Colors for wood windows and doors shall be submitted for approval.

**S5.16.10 Driveways and Walkways.** Although it is not required for driveways and walkways to match, one or more materials and complementary colors should be repeated to create a sense of consistency and flow from the driveway to the entry of structure. Color swatches and product photos or samples shall be submitted for approval.

- **If stamped concrete or pavers are used, mid-and deep-tone colors are recommended to reduce glare and to blend with landscaping.**
- **If broom finish concrete is used for driveways, the addition of an approved color agent is highly recommended to reduce glare and to improve consistency even in cases when the desired color is grey.**

**S5.16.11 Patio and Pool Decks.** Patio and pool decks should be complementary to the main body of the structure and may include, where appropriate, accent colors. Patio and pool deck colors shall be submitted for approval. Depending on the type of material, color swatches or product samples may be required for approval.

**S5.17 EXTERIOR LIGHTING.** Christmas or holiday lights may only be displayed between Thanksgiving and January 10<sup>th</sup>.

Monument lights, post lights, and architectural lights attached to a structure shall be submitted for approval as indicated in Section 4.6 for Final Design Review. All other exterior landscape light shall be submitted for approval in accordance with provisions for Landscape Review.

The Intent of the standards in this section is to ensure that lighting is properly used to enhance the *architectural detailing* and *landscaping* of a structure during evening hours *without overpowering the streetscape, producing excessive glare, or affecting adjoining lots.*

**S5.17.1 Location of Lighting Fixtures.** Other than for one post light with a photo cell or one light per monument as provided for in this section, all light fixtures must be attached to the structure or located within the *Maximum Buildable Area* of the lot.

**S5.17.2 Lighting Systems.** When preparing a lighting plan, it is best to rely primarily on a single type of system although more than one type of lighting fixture may be required. Low-voltage incandescent or LED lighting is highly recommended.

- **Most types of quartz, mercury vapor, high pressure sodium and metal halide lamps with standard voltage are not permitted.**
- **Fluorescent fixtures or the use of fluorescent tubes is not permitted for exterior lighting, except for under-rail deck lights and recessed step lights.**

**S5.17.3 Illumination.** When considering “brightness”, the appropriate fixture and bulb for each application must be considered. A low-to-medium level of illumination to achieve a “soft look” or “warm glow” is required by the standards in this section. A small quantity of the right kind of light can produce much better visibility and effects than large quantities of an inappropriate kind.

Brighter lighting is permitted along walkways for safety, while softer lighting should be used in more intimate areas to create more subtle effects.

**S5.17.4 Monument and Post Lights.** A maximum two monuments with one light fixture per monument is permitted, subject to the approval of the location, material and design by the ARC. One post light not less than 4' or more than 6' above grade is allowed. Post lights must be installed at least 10' behind the front property line.

- **Only lantern style decorative fixtures are permitted for monuments or post lights. Approved finishes include white, cooper, brass, verde green, rust or black.**
- **Monument and post lights must be installed with a photo cell device or automatic season adjusted timer device such as a Lutron computerized timer which provides for the lights to illuminate at or near dusk and go off at day-break.**

**S5.17.5 Bollard and Path Lights.** Bollard and path lights, not exceeding 30" in height above grade, may be used on a *limited basis* to light walkways. Pagoda-style lights with diffusers and extended shields or louvers are preferred. Other types of designs will be considered on their own merits.

- **Bollard or path lights with shallow or wide spread louvers or those producing high levels of glare are not permitted.**
- **Bollard and path lights are not permitted for installation along driveways.**

**S5.17.6 Ground Lights.** Ground lights are installed at grade and may be used on a *limited basis* to provide circular or semicircular sprays of light for walkways and driveways.

**S5.17.7 Spread Lights.** Mushroom-style spread lights, directing light downward and not exceeding 30" in height may be used on a *limited basis* to provide circular patterns of light to illuminate landscaping and walkways.

**S5.17.8 Flood Lights: Ground-Level.** Ground-level flood lights intended for general illumination of large open areas are not permitted.

**S5.17.9 Spot Lights: Ground-Level.** Ground-level spot lights, not exceeding 150 watts per fixture, may be used on a *limited basis* to accent landscaping and architectural details of a structure. Shields are required on spot lights to minimize light spillage. Bulbs may not be visible from the street or directed at such an angle to cause excessive glare or light spillage which may affect adjoining lots. Ground-level spot lights may not be used to illuminate large open areas.

**S5.17.10 Spot Lights: Eve-Mounted.** Eve-mounted spot lights, not exceeding 150 watts per fixture are permitted. Fixtures must be mounted less than 12' above grade and fitted with a shield to minimize light spillage. Bulbs may not be visible from the street or directed at such an angle to cause excessive glare or light spillage which may affect adjoining lots.

**S5.17.11 Well Lights.** In-ground well lights may be used on a *limited basis* for up lighting to accent trees. Well lights must be fitted with diffusers and grills to help hide bulbs and to reduce glare.

**S5.17.12 Entry Lights.** Hanging fixtures, wall-or ceiling-mounted fixtures, and recessed high hats may be used for entry lighting. Low-wattage incandescent lights are best for decorative wall-mounted fixtures, while higher-wattage fixtures are recommended for overhead use.

- **Only lantern style decorative fixtures are permitted for entries, except for recessed lights. Approved finishes include white, cooper, brass, verde green, rust or black.**

**S5.17.13 Garage Lights.** Decorative wall-mounted fixtures may be used to light garage door areas and may be mounted above garage doors or at upper garage door corners.

- **Lantern style decorative fixtures and recessed lights are permitted for garages. Approved finishes include white, cooper, brass, verde green, rust or black.**

**S5.17.14 Porch Lights.** Hanging fixtures, wall-or ceiling-mounted fixtures, and recessed high hats may be used for porch lighting.

- **Only lantern style decorative fixtures are permitted for porches, except for recessed lights. Approved finishes include white, copper, brass, verde green, rust or black.**

**S5.17.15 Side Yard Lights.** Doors facing or opening to the side yards of structures may be lighted with a shielded fixture which provides up and/or down light only.

- **Approved finishes include white, copper, brass, verde green, rust or black.**

**S5.17.16 Dimmers, Time Clocks and Circuits.** When planning exterior lighting, consideration should be given to dimmers for controlling brightness, and time clocks to turn on and off lighting at desired times. It is also a good idea to use more than one circuit if coverage is provided to multiple areas or different kinds of lighting are used.

**S5.17.17 Bulbs.** All exterior lighting shall be equipped with white, frosted or clear bulbs. Low-voltage incandescent or LED is highly recommended. Fluorescent tubes will not be permitted for

exterior lighting except under-rail deck lights and recessed step light. Colored bulbs are not permitted.

**S5.17.18 Lenses.** Glass panels or lenses and vinyl or plastic liners for lighting fixtures shall be white, frosted or clear.

**S5.17.19 Light Spillage and Glare.** Light sources should be hidden when possible so the light is seen, but not the bulb or fixture. Besides achieving the most natural look possible, hiding the light source avoids glare that results when bulbs are in direct view. Glare can also be reduced by using several smaller lights rather than one larger one. The use of diffusers, shields and grills is also helpful.

- **No exterior lighting shall be permitted which, in the opinion of the ARC, would create a nuisance to adjoining lots. In the event an approved light produces excessive glare or light spillage after installation, the Owner shall be required to correct the situation by reducing the wattage of bulbs, adjusting shields, or taking other measures as may be requested by the ARC Administrator.**

**S5.17.20 E911 Switch.** All new houses are required to have the E911 Switch installed. See details for this section S5.21.

**S5.18 LANDSCAPE REVIEW.** The purpose of the landscape review process is to ensure a harmonious neighborhood streetscape and to protect the aesthetic quality of the overall community. The landscape standards are intended to provide for the needs and desires of the Applicant in a manner which also protects the lifestyle of adjoining neighbors. The landscape and irrigation plan must be revised and approved with the final plan submission for the house. Any changes to the approved plan or modifications by Applicants after completion of construction shall be submitted to the ARC for review and approval.

- **All lots must be landscaped before arranging for a Certificate of Compliance and return of construction clean-up deposit.**

**S5.19 RESIDENTIAL LANDSCAPE CONCEPT** The landscape concept at Rarity Bay is focused primarily on the use of trees and turf accented with shrub plantings.

**S5.19.1 Turf and Shrub Areas.** Shrubs, planted in masses, provide visual interest throughout the year as well as unique opportunity to display seasonal changes. Turf areas provide a multitude of functions in the landscape. In contrast to shrub plantings, turf areas establish a visual base plane from which all other elements of the landscape arise.

**S5.19.2 Trees.** Trees provide the most visual and memorable impact within each residential neighborhood. As established in this section, trees are required along right-of-ways and within specific landscape zones on lots.

Street trees are intended to provide visual accents to emphasize the distinctive four seasons. Trees located within specific landscape zones on lots provide additional benefits such as shading hot summer conditions, cutting cold winter winds, or screening undesirable views.

**S5.20 LANDSCAPE ZONES** Multiple landscape zones have been established to enhance the definition of each lot within Rarity Bay. The purpose of each of these zones is to maintain a framework of cohesiveness from which Applicants may express their unique tastes and personality, subject to the approval of the ARC. The actual size and configuration of each zone varies depending on the specific lot conditions and home size.

- **See Landscape Zone Diagram Exhibit 5.20.5**

**S5.20.1 Zone One: The Streetscape Zone.** The Streetscape Zone is the area nearest to the neighborhood street, normally at the front of the lot. This area stretches from the back of the curb or centerline of the storm-water swale to 10'-0" into the lot and runs the full width of the lot parallel to the street. On Corner lots this zone also extends down the side of the lot parallel to the street.

#### **Landscape Requirements**

- Must have one [1] ornamental Accent Tree [1 ½" min. caliper] per 50 linear feet of street frontage [1/50 L.F.], including the street frontage side yard of Corner lots. **Applicant may only have a maximum of 2 trees per 50 linear feet. The only tree allowed in the streetscape zone is the specified ornamental accent tree. Trees and shrubs may not obstruct vehicle or pedestrian traffic or "line of sight" on corner lots. Shrubs must not exceed a maximum of three (3) feet in height above the curb within twelve (12) feet of the street on a street corner. No shrubs shall be allowed grow past the inside curb line.**

**S5.20.2 Zone Two: The Front Yard Zone:** The Front Yard Zone is the area between the front of the home and the Streetscape Zone. The size of this area varies depending on the depth of lot and the placement of the home on the lot parallel to the street.

#### **Landscape requirements**

- Two [2] trees [1 ½" min. caliper] per 3,000 square feet of front yard area [2/3,000 S.F.] or a minimum of two [2] trees, whichever is greater. The trees shall be selected from the **Approved Tree List** located at the end of this section.



- The planting area for shrubs shall be no less than 25% and no greater than 33% of the Front Yard Zone. The remaining area should generally be lawn. This guideline may be changed based on the configuration and slope of specific lots.

**S5.20.3 Zone Three: The Private Zone.** The Private Zone is the traditional back yard which runs from the back of the home to the back of the lot. If the back yard area meets the criteria for Zone 4 [the Amenity Zone], the area of the back yard will not include the Amenity Zone.

**Landscape requirements**

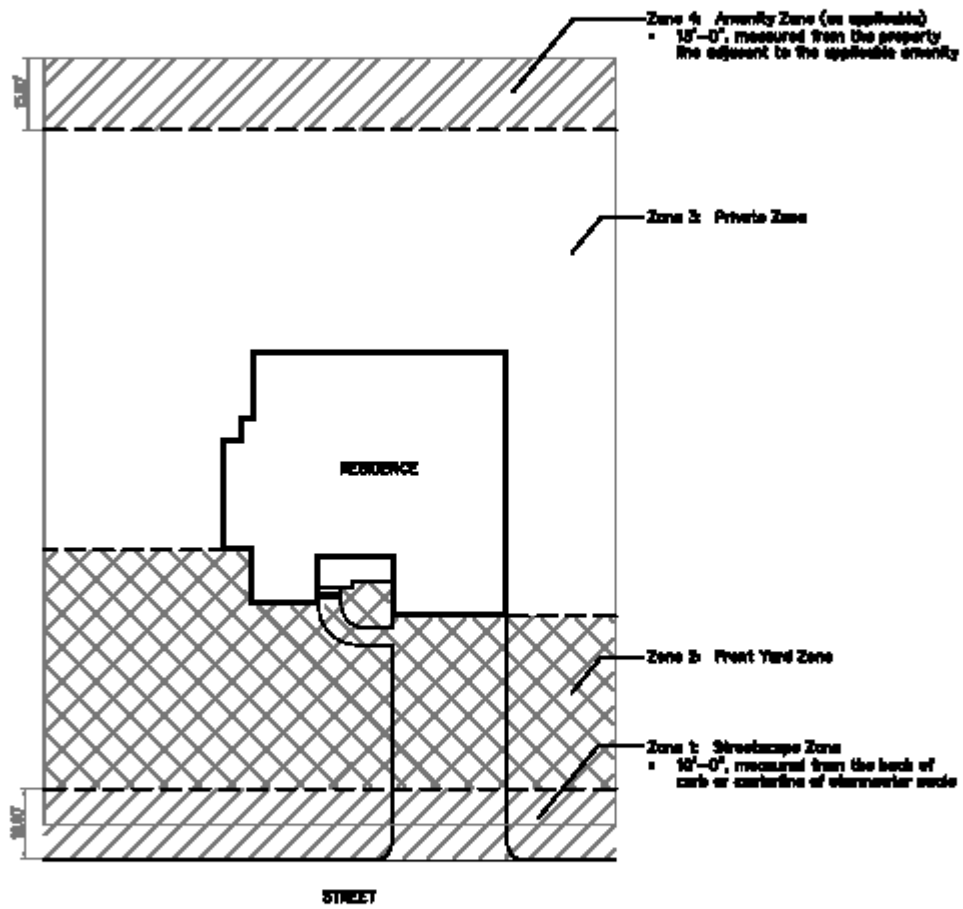
- One [1] tree [1 ½” min. caliper] per 3,000 square feet of yard area [1/3,000 S.F.] or a minimum of two [2] trees whichever is greater. These trees shall be selected from the **Approved Tree List** located at the end of this section.
- The planting area for shrubs shall be no less than 17% and no greater than 25% of the Private Zone. The remaining area should generally be lawn. This guideline may be changed based on the configuration and slope of the specific lots.

**S5.20.4 Zone Four: The Amenity Zone.** The Amenity Zone [community or club amenity edge] applies only to those lots directly next to a community or club amenity, such as the golf course. The area measures 15’ 0” deep and runs the full width of the lot.

**Landscape requirements**

- One [1] tree [1 ½” min. caliper] per 50 linear feet along the amenity zone or a minimum of two [2] trees per lot, whichever is greater. Trees shall be selected from the **Approved Tree List** located in Appendix D.

### S5.20.5 EXHIBIT: LANDSCAPE ZONE DIAGRAM



Landscape Zone Diagram

**S5.21 E-911 LIGHT SWITCH.** The Rarity Bay Homeowners Organization (RBHOO) first promoted the installation of an “E-911 Light Switch” at every home and villa within Rarity Bay, and they may easily be added to homes built without them. Condominium units do not have an outside light that the condominium owner can control, so the E-911 Light Switch does not apply to condominiums at this time. We in Rarity Bay are fortunate to have excellent ambulance and fire department service nearby and we have our own First Responder team within the community. The E-911 Light Switch will help them find your home more quickly to render assistance in case of an emergency.

**What is it?** - The E-911 Light Switch comes in various models that may vary in design, but all have similar characteristics. All models have three switch positions rather than the customary two positions— on or off. The three switch positions are “**Off**”, “**On**” and “**On-Blinking**”. If it becomes necessary to call 911, the resident sets the light switch to “on – blinking.” When the First Responders arrive in the area they will more quickly find the residence that called 911, because the front light blinks every few seconds. This also assists the ambulance drivers since some areas of Rarity Bay are darker than others late at night.

**Installation Notes.** When your E-911 switch is installed, it should be connected to an outside light or lights visible from the street. However, it should not be installed on the mailbox light. The mailbox light is to be lighted continuously during all non-daylight hours.

**S5.22 LANDSCAPE STANDARDS** The recommended landscape character should emphasize the native plant material and blend with the surrounding countryside in a *casual* versus a *formal* manner. Plantings are encouraged to screen garages, service areas, blank walls, outdoor utilities and mechanical equipment, patios and swimming pools.

**S5.22.1 Existing Vegetation.** Unless otherwise prohibited in conservation areas, native trees selected to remain on a lot should be selectively pruned to remove dead wood and undesirable branches. Clusters of smaller trees and natural areas should be groomed and mulched for a neat appearance or, planted with shrubs or ground cover. Protective tree fences, tree wells, aerators and erosion control devices shall be installed as required to protect existing trees.

- **Where conservation areas occur on lots, the installation of new plant materials or the removal of existing plants materials may be restricted.**
- **See tree Protective Fence Detail, Tree Well Detail, and Erosion Control Detail at the end of this section S5.27.**
- **Removal of existing vegetation in Wildlife Corridors or below the 820’ contour line is prohibited unless approved and permitted by TVA.**

**S5.22.2 Trees.** Trees for individual lots shall be correct in form for their species and have normal growth habit with well-developed and densely foliated branches. Trees should be planted with proper space to allow for growth to maturity. Generally, trees should be placed a minimum of 4' from walkways, driveways and property lines. All trees should be adequately planted and staked.

- **Trees other than those contained in the approved tree list may be permitted for installation only after approval by the ARC.**

**S5.22.3 Shrubs.** Shrubs of the same species shall be massed together, in general, and random mixing of different species is discouraged. Different shrub species should be tiered in height with the taller shrub species closest to the structure and the lower species in front. Plant masses should be arranged to provide visual excitement by the use of color and texture and to soften stark building elements and corners as well as to enhance architectural features. Shrubs used for buffer hedges should be composed of one type of plant material which will provide the desired level of screening from top to bottom when properly maintained.

- **Buffer hedges along property lines in front yards are not permitted, except to separate side-by-side driveways which services two different lots, to screen easements or for similar applications as may be approved by the ARC. The use of berming, tree clusters, shrubs and ground covers are recommended to create a sense of separation and definition when appropriate between front yards.**

**S5.22.4 Sod.** Other than shrubs, ground covers, approved drainage areas and conservation areas, all remaining portions of a lot and the road right-of-way shall be sodded. To insure a consistent turf color and texture throughout the community, **fescue** or **bluegrass** sod shall be used on all lots. The seeding or sprigging of lots is not permitted on individual lots within Rarity Bay.

**S5.22.5 Planting Beds and Mulch.** Planting beds shall be delineated in smooth, clean lines and include mulch at a minimum depth of 3”.

- **Pebbles and small rocks are not approved as a substitute for sod. They may be used for plant beds as approved by the ARC.**

**S5.22.6 Plant Quality and Installation.** Trees and shrubs shall be nursery grown in containers and free from diseases, insect infestations, defects and injuries. Installation should allow adequate area to promote a healthy growth pattern and to accommodate the mature growth requirements of each species. To promote healthy growth, amend soil in planting beds and incorporate into existing soil, dig generous holes, at least 2x the width of the root ball. All new

plantings need adequate watering during the first two growing seasons to become well established. Keep mulch away from crown of plants.

**S5.22.7 Utility Boxes.** All utility company boxes and transformers are set within road right-of-ways or easements. Grading around these items should ensure positive drainage, and the landscape plan should include shrubs to reduce the visibility of utility equipment.

**S5.22.8 Lines of Sight.** No fence, wall, hedge, shrub or tree planting shall be placed, permitted or maintained where such improvements would create a traffic or sight problem at intersections for Corner lots or at the intersection of street property lines and driveways, alleys, golf cart paths or pedestrian trails.

**S5.22.9 Decorative Embellishments.** No artificial vegetation, exterior sculptures, statues, fountains, bird houses, bird baths, swans, flamingos, ducks, windmills, rock gardens or other decorative embellishments shall be permitted unless approved by the ARC.

- **The use of decorative landscape rock is not encouraged and is subject to disapproval by the ARC.**

**S5.23 IRRIGATION SYSTEMS.** An automatic irrigation system of sufficient size and capacity shall be installed to irrigate all landscape zones and sod areas, plus all road right-of-ways adjacent to the lot.

- **For corner lots, the irrigation system shall provide coverage along the street frontage side yard for the entire depth of the lot from the setback to the edge of the pavement or common area, whichever applies.**

**S5.23.1 Automatic Irrigation Systems.** Automatic irrigation systems shall conform to the following criteria:

- Lawn areas and planting zones shall be on separate irrigation zones.
- Irrigation systems shall be designed to minimize over-spray to adjacent properties, public roadways and driveways.
- It is recommended that irrigation systems have a rain sensor shut-off.
- Coverage shall include right-of-ways in front of lots, including street frontage side yard areas of Corner lots.
- Irrigation systems shall utilize an automatic control system.
- All sprinklers and nozzles shall be compatible with the respective soils, slopes, exposure, orientations and plant types. Irrigation heads for lawn areas should be pop-ups with a minimum height of 4". Drip irrigation is preferred for plants beds; however fixed spray pop-ups may be approved by the ARC.

**S5.24 IRRIGATION WATER.** Lots located on Lake Tellico may draw upon lake water for irrigation purposes with the approval of the ARC and TVA. After approval from the ARC, an application must be made to the TVA and a permit obtained prior to installation of piping. All pipes must be located underground and enter the lake at an elevation below the normal winter water level. All other lots within community are required to use potable water for irrigation.

- **The use of lakes within the community for irrigation or the Installation of wells on lots is not permitted.**

**S5.25 MAINTENANCE: Vacant Lots.** Except for areas required to remain natural, Owner shall routinely maintain their respective lots, including protection of existing trees, removal of dead trees, leaves, debris and trash; prevention of soil erosion; and mowing of grass or herbaceous cover. Grass areas may not exceed 6” in height between cuts.

### **S5.26 MAINTENANCE: Completed Structures**

**S5.26.1 Routine Lot Maintenance.** Owners shall routinely mow lawns, edge beds, control weeds, pests and diseases; remove dead trees, plants and trash, apply supplemental water, repair irrigation systems; replace mulch; and other necessary maintenance measures to sustain the landscape in a neat, orderly, vigorous and healthy condition. Grass areas may not exceed 6” in height between lawn cuts.

**S5.26.2 Removal of Dead Trees** Owners shall promptly remove all dead trees, except from areas required to remain natural.

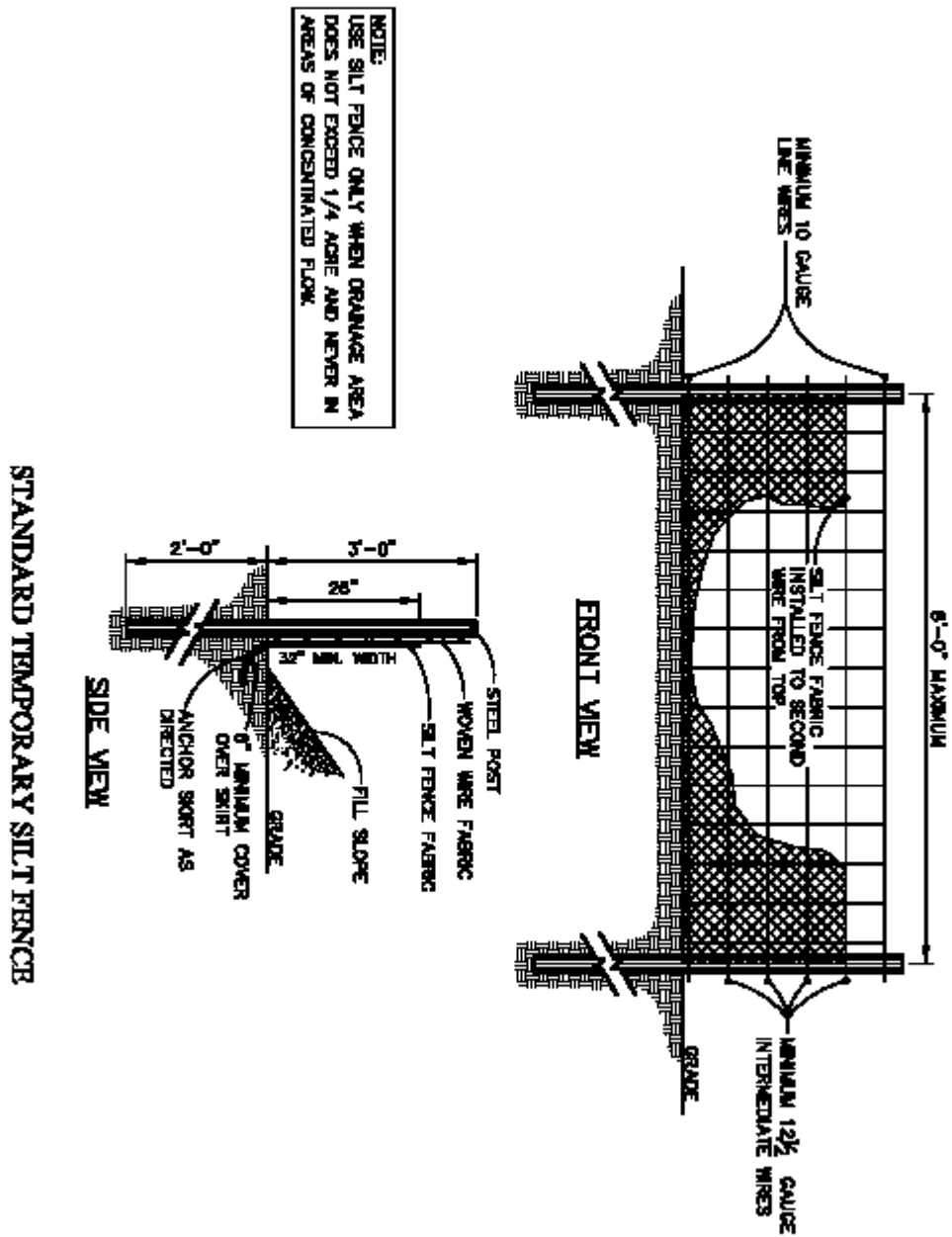
**S5.26.3 Irrigation and Maintenance of R-O-Ws.** Owners shall be responsible for irrigation and other costs of maintenance, repair, or replacement for landscaping located between the lot line and the edge of the roadway.

**S5.26.4 Irrigation and Maintenance of Water’s Edge.** Owners of lots adjacent to a lake or pond [other than Lake Tellico] shall maintain and irrigate, at Owner’s expense, all landscaping between the boundary of the Owner’s lot and the water’s edge.

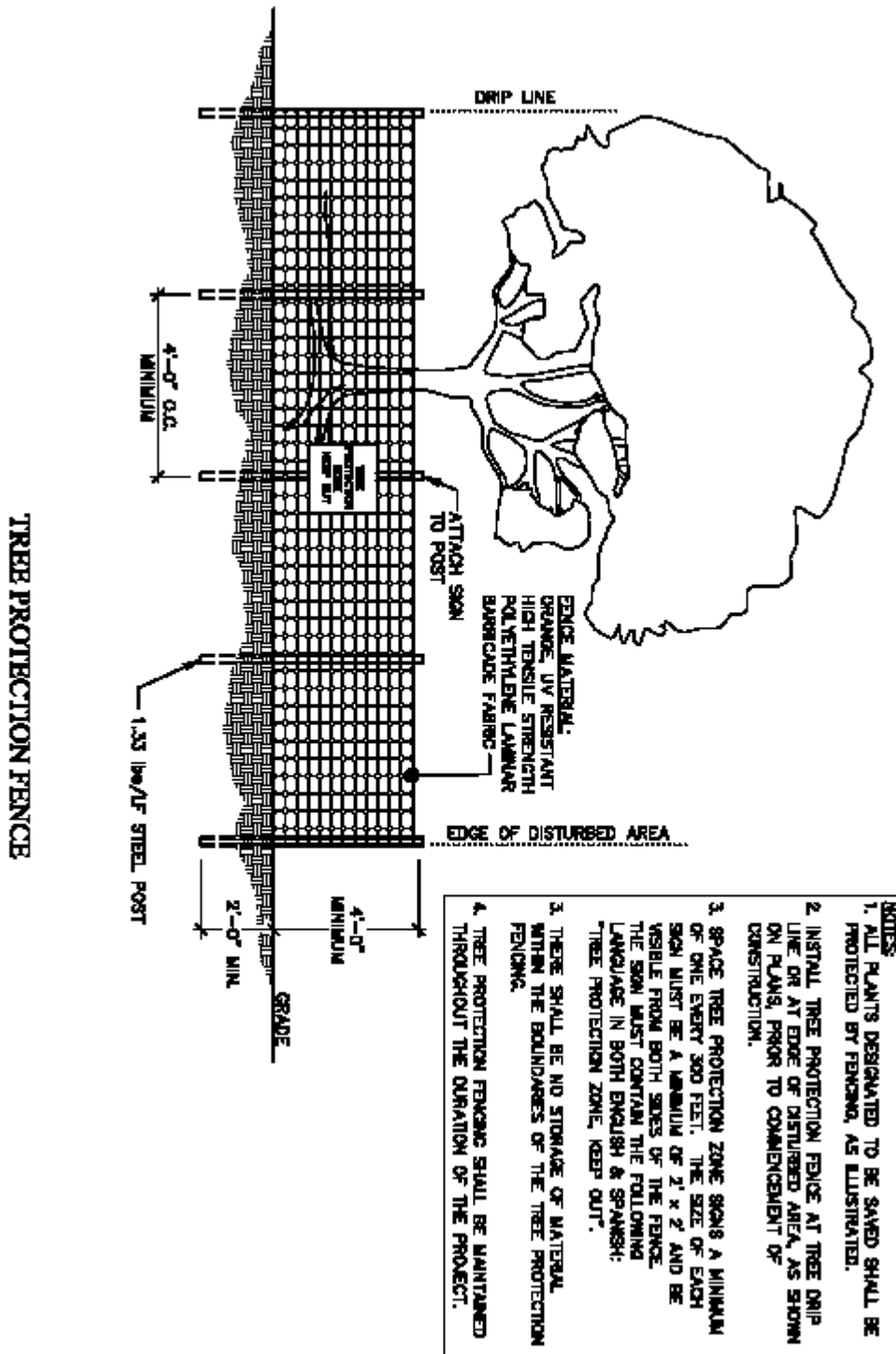
### **S5.27 EXHIBITS FOR:**

- a. Standard Temporary Silt Fence
- b. Tree Protection Fence
- c. Tree Wall Detail
- d. Tree Well Detail
- e. Approved Tree List – See Appendix E.

**S5.27.a EXHIBIT: STANDARD TEMPORARY SILT FENCE**

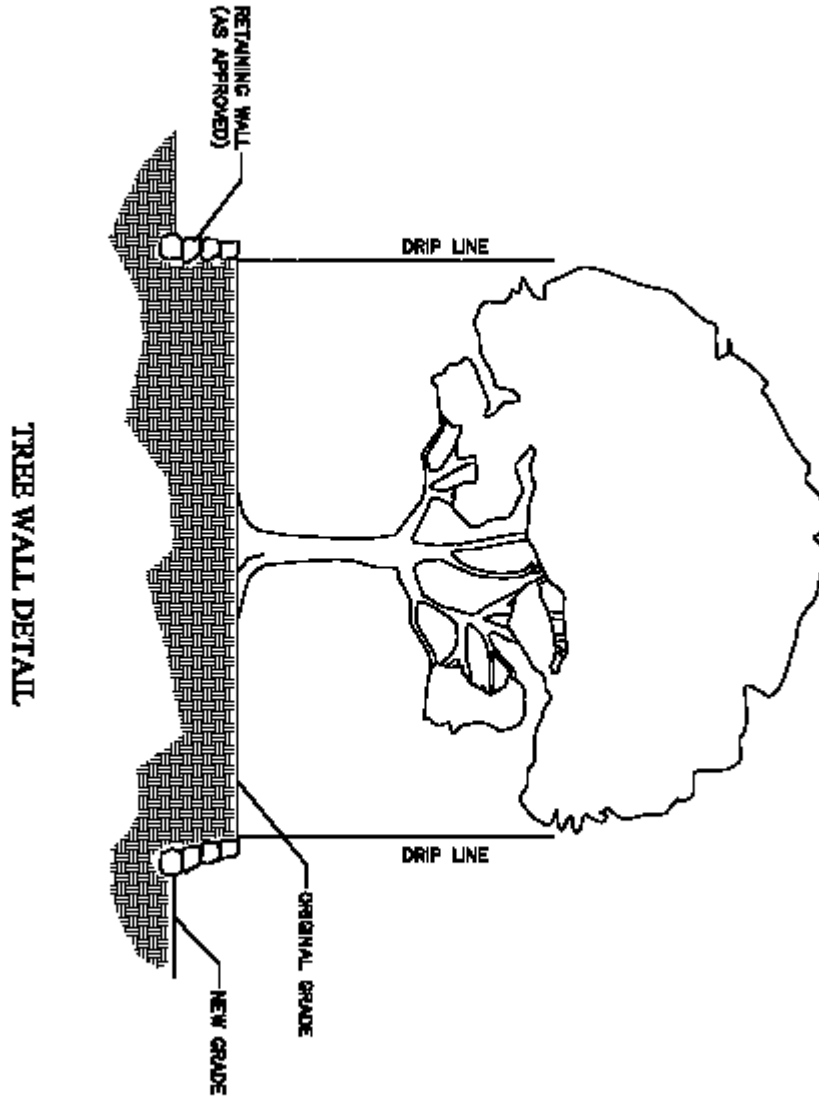


**S5.27.b EXHIBIT: TREE PROTECTIVE FENCE**

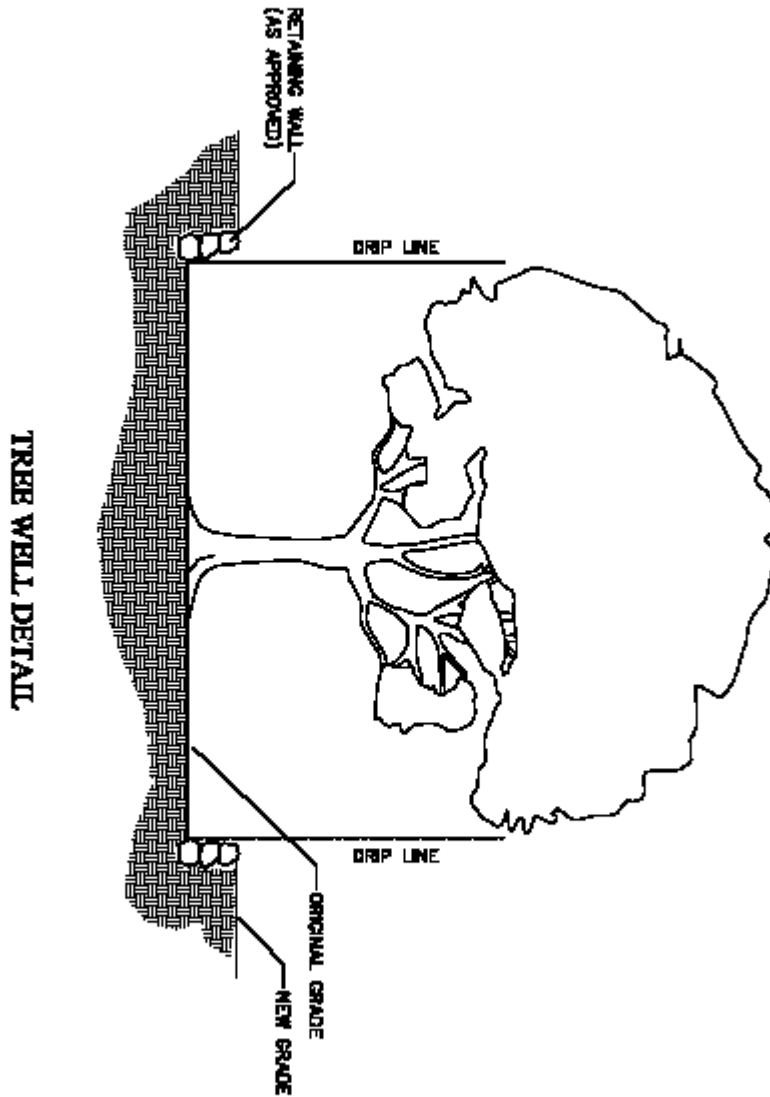




**S5.27c EXHIBIT: TREE WALL DETAIL**



**S5.27.d EXHIBIT: TREE WELL DETAIL**



## **S5.28 MAILBOXES and HOUSE NUMBERS**

**S5.28.1 Mailbox Types and Approvals.** Mailboxes shall be one of the following types:

- Post-Mounted Mailbox
- Custom Mailbox Monumentation

The location, design, size, materials, and colors of a mailbox shall be submitted for approval as indicated for Final Design Review. The mailbox location shall also be shown on landscape plans in accordance with provision for Landscape Review.

**S5.28.2 Mailbox Standards.** Mailboxes shall conform to the following standards:

- The bottom on the mailbox shall be between 36” and 42” from grade.
- The front of the box should line up with the curb or edge of pavement, whichever applies.
- The approach to, and exit from, the mailbox should be cleared sufficiently on both sides to allow the carrier to drive ahead and not be required to back up the vehicle after delivery.
- A pull-off area for postal carrier vehicles shall be provided for all mailboxes located along Rarity Bay Parkway
  - **For typical mailbox pull-off detail, see S5.28.6**
  - **For details on monument lights, see S5.17.4**
  - **Approval by the ARC of custom mailbox monumentation does not imply compliance with applicable building codes, highway regulations or postal standards, which are solely the responsibility of the Applicant.**

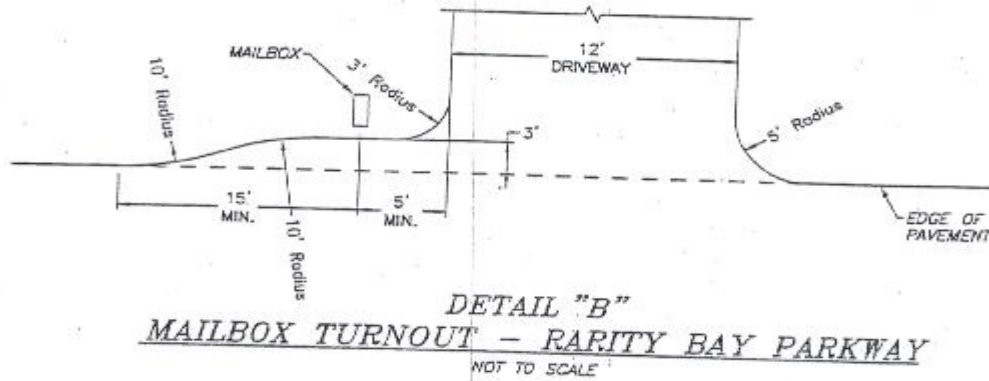
**S5.28.3 House Numbers.** One set of house numbers of no more than one square foot in area must be attached to a structure. The finish of house numbers may be white brass, black or a complimentary color to the trim or exterior wall finish on the structure. Bright or fluorescent colors are not permitted. House numbers shall be numeric in format and shall not include the initials or names of the Owners. House address may be mounted on the mail box monument and is suggested so as to assist emergency services in identifying addresses.

- **Back-lighted house number signs are prohibited**

**S5.28.4 Newspaper Boxes.** Separate newspaper boxes are not permitted, except as an integral element of the overall mailbox design as approved by the ARC.

**S5.28.5 Mailbox Light.** All mailbox structures shall include a lighting fixture mounted on top that is connected to a photo light sensor or Lutron-type electronic switching device. Mailbox light shall remain on from dusk to dawn.

**S5.28.6 EXHIBIT: TYPICAL MAILBOX PULL OFF DETAIL**



RARITY BAY

## **S5.29 SIGNS**

**S5.29.1 Regulatory and Street Signs.** No regulatory or street signs whether on common property, road right-of-ways or private property are permitted except those permitted by the RBCAI Board.

**S5.29.2 Directional Signs.** No directional signs are permitted except those approved by the RBCAI Board.

**S5.29.3 Neighborhood Signs.** Signs for neighborhoods, parcels, subdivisions or developments within Rarity Bay shall be submitted to the ARC for review and approval.

**S5.29.4 “Builder Identity” Signs.** Building permit will be posted at the site. No other builder identity signs are permitted. No other signs are permitted on lots, including, but not limited to, “for sale”, “for lease” or “for rent” signs.

**S5.29.5 Miscellaneous Signs and Advertising Devices.** Except as provided for in the Design Guideline Manual or otherwise approved by the ARC, no other signs, flags, banners or advertising devices may be placed on or about any lot, attached to or part of any structure, located in or about windows visible from the street or adjoining lots, located within road right-of-ways or common areas, or placed on or about any of the properties with Rarity Bay.

**S5.29.6 Removal of Non-Conforming or Unapproved Signs.** Any sign, flag, banner or advertising device in violation of the provisions in this section shall be removed and discarded by the ARC without prior notice or obligation to the offending party and any other associated costs shall be charged to the Applicant.

**S5.30 ANTENNAS and DISHES.** The following provisions shall apply to lots within Rarity Bay:

- a. Unless otherwise required by the FCC, all exterior antennas shall be approved by the ARC as to location, type, size and screening.
- b. One direct broadcast satellite (DBS) dish or one multipoint distribution service (MDS) dish is permitted per lot so long as it is one meter or less in diameter. Dishes larger than one meter are prohibited.
- c. If a quality signal can be received, the dish shall be located in a place shielded from view from the street to the maximum extent possible, located in the rear yard between the left and right corner of the structure, and as close to the rear of the structure as reasonably possible. Landscaping may be required by the ARC to screen any such device.
- d. Transmission-only antennas are prohibited unless specifically approved in writing by the ARC.
- e. Bay View Villa. A roof mount satellite dish is acceptable providing that the dish is not visible from the street.

**S5.31 GAME COURTS.** Game courts are a sensitive issue and must be approved by the ARC and adjoining property owners. Unless otherwise approved by the ARC, game courts should be contained within the Maximum Building Area of a lot. Game courts or any necessary fencing must not obstruct the views from adjoining properties. It is recommended that game courts be 5' below the surrounding grade. Depressed or recessed game court design should be reviewed by a civil engineer.

Game courts may be enclosed with a fence. Fencing for game courts shall be dark green vinyl coated mesh only. Exposed galvanized fencing is not permitted and fence posts must be painted to match vinyl coated mesh. Wind screens for game courts shall be dark green. Fence height shall be a maximum of 16' above the court surface. Adequate landscaping must be provided to soften the visual impact of the fencing.

Lighting for game courts is permitted, provided the lighting does not spill onto adjacent properties. Lighting standards are limited to 22' in height measured from the finished grade of the court. Lighting fixtures must have internal reflectors to minimize the spread of light outside the court. Additionally, lighting fixtures shall be shielded to prevent any spill-over onto adjacent properties. The light housing and pole for court lighting must be dark green.

### **S5.32 SHORELINE TREATMENT.**

**S5.32.1 TVA's Authority.** All proposals for shoreline access and water-use facilities (docks) are subject to the review and approval of the ARC as well as TVA review and approval in conformance with a set of pre-approved plans and Section 26a of the TVA Act. Requests for a Section 26a permit and recreation easements for private water-use facilities will be reviewed on a case-by-case basis. Any such requests are also subject to existing TVA policy as well as the dock structure requirements and conditions set forth in this section.

- **No non-water-use or access facilities are permitted below the 820 foot contour.**
- **Docks cannot be recessed into the shoreline or excavated into the bank.**

**S5.32.2 Shoreline Treatment.** Where permitted by TVA, shoreline stabilization may be accomplished by rip-rap or shoreline plantings with native vegetation (willows, buttonbush, etc.). Retaining walls are prohibited.

Existing shoreline vegetation shall be preserved below the 820-foot contour. Mowing or lawn maintenance below the elevation contour is prohibited unless approved in writing by TVA.

The shoreline properties will be managed to maintain and develop a vegetated zone which will:

- provide a visually pleasing shoreline
- protect water quality by filtering runoff from adjacent developed areas
- provide habitat for wildlife

**S5.32.3 Pathway & Access.** Pathways are permitted across this zone to access private or communal docking facilities. Cleared corridor access to individual private docks shall not exceed 6' in width. Cleared access to communal docks cannot exceed 10' in width. Vegetation management on shoreline properties will be accomplished in compliance with shoreline management policy which requires a vegetation management plan submittal.

**S5.32.4 Designated Dock Types.** The designs of the dock structure for specific lots are subject to review and approval of the ARC. The design and location are subject to the review and approval of the Tennessee Valley Authority and the US Army Corps of Engineers.

**S5.32.5** See literature on shoreline treatment as provided by TVA and Rarity Bay Community Association, Inc.

**S5.32.6 ALL DOCK DESIGNS MUST BE APPROVED BY THE ARC PRIOR TO SUBMISSION TO TVA AND THE US ARMY CORP OF ENGINEERS FOR 26A APPROVAL.** For the most current instructions on 26A application process, see the following web page: <http://www.tva.com/river/26apermits/howto.htm>

A completed Rarity Bay Boat Dock Application (See Exhibit S9.6) must accompany all 26A applications.

**S5.32.7 EXHIBIT: Dock Approval Application for TVA 26A Application**

2/14/2014

**RARITY BAY COMMUNITY**

1

150 Rarity Bay Parkway, Vonore, TN 37885

**Boat Dock Application**

(Required prior to application for TVA 26A Permit)

Name:			
Lot #:			
Phone #:			
Dock Builder:			
Dock Builder Phone #:			
Est. Construction Start Date:			
Est. Completion Date:			
<b>PROPOSED CONSTRUCTION</b>			
Foundation Material:		Color:	
Exterior Material:		Color:	
Trim Material:		Color:	
Facia Material:		Color:	
Roofing Material:		Color:	
Roof Form:			
Roof Pitch:			
Additional Items (if any):			
<b>SUBMIT PLANS, DRAWINGS AND ELEVATIONS WITH SUBMITTAL COLOR CHIPS MUST BE SUBMITTED FOR ALL EXTERIOR ITEMS USED</b>			
<b>I (we) the undersigned, warrant that no changes in the above specifications will be made without the written approval of the Rarity Bay Architectural Review Committee.</b>			
Property Owner:	_____	Date:	_____
Property Owner:	_____	Date:	_____
Contractor:	_____	Date:	_____
<b>PACKAGE ACCEPTANCE</b>			
Boat Dock Review Fee	\$100	CHECK #	_____
ARC ADMINISTRATOR	_____	DATE	_____
<b>ARC Administrator Notes/Comments</b>			

Dock Application.pdf

ARC Form # 5



## **S5.33 CONSTRUCTION AND BUILDING STANDARDS FOR WATER USE FACILITIES AT RARITY BAY**

**S5.33.1 General Restrictions:** All construction shall meet these requirements:

- No structures may be constructed within the Shoreline Strip
- All issuance of permits, all designs, construction, and inspection shall be in accordance with the Standard Building Code, the Rarity Bay Architectural Review Committee (ARC) Standards for Permits and Construction, and the Declaration and Covenants, Conditions, and Restrictions (CC&Rs).
- Special restrictions shall apply to the use of electrical, water and sewer utilities as included herein.
- Restrooms, sewer service lines and sprinkler systems may not be constructed below the 820 contour line.
- No fences may be constructed within the permit area.
- No signs prohibiting access by the general public in accordance with rules established by the TVA shall be posted below the 820 MSL contour.
- Any construction, including cuts and fills, below the 820 MSL contour which is not included in the Section 26a Permit will require written approval from TVA and the US Army Corp of Engineers in advance of construction.
- Any construction shall be subject to TVA's right to flood up to the 820 MSL contour.
- On individual lots, no spoil material may be deposited below the 820 contour line, nor will any other fill be allowed.
- Mooring buoys are not allowed.

**S5.33.2** All facilities shall require permits from the ARC and shall conform to the requirements of the ARC standards for permits and constructions except that the additional requirements listed herein shall also apply.

- Electrical service to support lake use facilities shall be allowed and installed underground as per the National Electrical Code. All circuits shall be equipped with ground fault interrupter (GFI) devices.
- Water service may be installed to facilities with the Shoreline Strip. All water lines should be located underground below the frost line, and should be protected by an anti-siphon device.
- All facilities must be constructed to provide safe tie-up and access in accordance with the requirements for the type constructed. Docks must be securely anchored by poles or footings to the lakebed or lakeshore and designed to carry the loads as listed below.
  - **Fixed docks and boardwalks shall be designed for dead loads plus 100 PSF for floored areas.**
  - **Floating docks shall have sufficient flotation to allow for 20 PSF live loading of floored areas and shall be constructed of encased flotation devices.**

- **Facilities shall be designed for wind and wave loads from a 90 mph, i.e., (1000 year) wind with a boat tied up to the dock.**
- **Roof loads for covered docks shall be in accordance with the Standard Building code and ANSI code.**
- Facilities must be constructed of pressure treated wood (water borne preservative) or steel with pressure treated wood or concrete decking, and if floating, utilize approved and adequately sized encased flotation devices.
- All flotation devices and materials must meet the requirements of 18 CFR Part 304 and Section 26a of the TVA Act of 1933, 16 USC Sec. 831-831dd (1982), or as subsequently amended.
- All floating covered boat docks or floating boathouses shall meet the requirement of 18 CFR, Section 304.204, 304.205, and 304.206, and Section 26a of the TVA Act, as amended, effective February 15, 1978, or as subsequently amended.
- No covered and enclosed boat dock or boathouse situated below the 820 MSL contour may have completely enclosed interior walled floor space exceeding 25 square feet in floor area.
- The location of private water use facilities cannot obscure the visibility of onshore navigational day marks or obstruct the government's (TVA and/or US Coast Guard) access to those day marks for maintenance purposes.
- Total dock area shall not exceed 1,000 square feet unless approved in writing by TVA and the US Army Corp of Engineers. If dock ramp is less than 6 feet wide, it will not be considered part of the dock square footage.
- When applying for a 26A permit, a vegetation plan must be included and contain the following:
  - **A plat showing the TVA property line**
  - **Extension of the property line**
  - **The path across TVA property**
  - **The placement of the dock in relation with the 813 contour line**
  - **A drawing or photo of the clearing strip showing what is to be removed and what is to be replaced. Replacement materials must also be listed.**
  - **When TVA or US Army Corp of Engineers requirements is more precise or restrictions than the guidance in this document, the former takes precedence.**

## **S5.34 MISCELLANEOUS PROVISIONS**

**S5.34.1 Window Air-Conditioning Units.** Window air-conditioning units may not be installed on any structure.

**S5.34.2 Flag and Poles.** Flag poles may not be installed in the ground on any lot. One flag pole, not exceeding 6'0" in length may be attached to the front elevation of a structure with wall brackets. No flag shall be attached thereto which displays or includes and letter, words, logo or representation which is in the nature of an announcement, direction or advertisement. Approved flags include pennant, or insignia of any nation, state or city.

**S5.34.3 Reflective Window Coverings and Film.** External reflective window coverings and film with reflective properties are not allowed on any structure.

**S5.34.4 Security Alarms.** Security systems with strobe lights are not allowed on any structure.

**S5.34.5 Roadside Obstacles.** No concrete cylinders, pyramids, or half-rounds or similar items may be placed along roadways or within right-of-ways in front of a lot.

**S5.34.6 Portable Barbecues.** When not in use, portable barbecues must be stored within a covered porch or enclosed area of view.

**S5.34.7 Firewood.** Firewood should be stacked and stored with sensitivity of views from neighboring properties, golf course and roadways.

**S5.34.8 RV, Trailer and Boat Storage.** Recreational vehicles, trailers and boats, travel trailers, campers, watercraft and similar vehicles must be stored entirely within an enclosed garage. Overnight parking or storage of any such items is not permitted along roadways, in driveways or on lots, except for temporary construction vehicles, trailers and equipment as permitted by the ARC.

- **Refer to Section S5.9.4 for garage door size requirements.**

**S5.34.9 Radon Testing.** Radon is a naturally occurring element in Tennessee. Homeowners should consider including design provisions for this.

## **Section Six (S6)**

### *Environmental*

**S6.1 ENVIRONMENTAL STANDARDS.** The shoreline, conservation areas and lands within Rarity Bay are highly valued natural amenities. Every effort must be made to preserve and protect the environment that contributes to Rarity Bay's identity as a most desirable place to live. Accordingly, Owners, builders, subcontractors and suppliers are required to comply with the following provisions:

**S6.1.1 Restricted Activity Areas.** Specific guidelines have been established by the TVA, TRDA and the ARC for environmentally sensitive portions of Rarity Bay. In particular, site work, construction and other activities are prohibited or highly restricted within wildlife corridors, lakeshore buffers and areas below the 820' level. For additional details, refer to the Design Standards in this manual and the requirements of the TVA.

**S6.1.2 Tree Protection.** Owners, builders, subcontractors and suppliers shall make a diligent effort to protect remaining trees during construction and to respect tree fence areas for the protection of root systems from heavy vehicles and equipment. This includes protections for trees on adjacent properties.

**S6.1.3 Aeration Systems and Tree Wells.** In cases where fill is required around trees, aeration systems or tree wells shall be installed as may be required by the ARC.

**S6.1.4 Protective Fences.** If required by the ARC, protective fences must be installed at the drip line or farther for more mature trees prior to any clearing, site work or construction activities. Protective fencing must be maintained throughout the building phase and shall conform to a standard design established by the ARC. No equipment, material, fill, trash or toxic substances may be placed within boundaries of protective fencing for trees.

**S6.1.5 Concrete Washout & Vehicle Washing.** The washing of concrete trucks or other vehicles is not permitted on roadways or within the drip line of trees. All concrete washouts must be performed entirely on the lot where such materials were provided or in areas designated by the ARC Administrator. If street cleaning work is required to restore the appearance of street surfaces in front of a lot, the cost of any such repairs shall be the responsibility of the Owner.

**S6.1.6 Tree Maintenance.** Except as otherwise prohibited by the ARC or TVA, all trees shall be maintained and cared for throughout construction.

**S6.1.7 Penalty for Damage.** In the event a tree targeted to remain is damaged, the builder may be required to pay a fine and/or to replace such tree with one (1) or more comparable trees of such size and number, and in such locations, as the ARC may determine to mitigate the damage, whether such damage was caused by the builder's employees, subcontractors or suppliers.

**S6.1.8 Hazardous Substances.** No property owner, builder, subcontractor or supplier shall dump petroleum substances or other potentially hazardous or toxic substances or auto fluids, whether intentionally or unintentionally, on any lot or in any conservation area, pond or drainage system within Rarity Bay. All violations of this provision must be immediately reported to the ARC Administrator.

**S6.1.9 Environment Control During Construction.** When construction occurs along the golf course, club properties, common areas or completed structures, an environmental (silt) fence shall be installed along the applicable sides and/or rear of the lot to prevent debris from blowing onto adjacent property. See section S5.3.9 for details.

- **Builders are responsible for ensuring compliance with Environmental Standards by their employees, subcontractors and suppliers. Individuals who violate standards may be asked to leave [temporarily or permanently] the job site and/or to pay fines. Workmen who habitually violate rules will not be permitted access to the community. The ARC Administrator or other designated individuals of the Community Wide Standards are authorized to issue citations and fines, and to temporarily or permanently dismiss construction personnel from performing with within community.**

## **Section Seven (S7)**

### ***CONSTRUCTION STANDARDS***

**S7.1 CONSTRUCTION STANDARDS.** Construction Standards have been established to foster a positive working relationship among all builders, subcontractors and suppliers performing work within Rarity Bay. All companies and their employees are required to comply with Construction Standards which include the following:

**S7.1.1 Construction Access.** All construction vehicles [*trucks, vans and cars*] are required to check in and check out at the gatehouse and to follow instruction of gatehouse personnel.

**S7.1.2 Registration of Subcontractors.** Builders shall provide a list of all employees, subcontractors and suppliers who are authorized to perform work or to deliver materials within the community. List shall be updated as necessary and returned to the ARC administrative office.

**S7.1.3 Employees Only.** Only construction personnel, employed by a builder, subcontractor or supplier, are permitted access to the construction site. No family members or children are allowed, unless such persons are bona fide employees or riding in a vehicle to drop off or pick up construction personnel.

**S7.1.4 Common Area & Golf Course Access.** Construction personnel are not permitted on the golf course, club properties or common areas of the community, unless specifically invited. Workers are not permitted to walk across, or to lounge along fairways or berms surrounding the golf course.

**S7.1.5 Damage to Development Improvements.** Any damage to roadways, curbing, mailboxes, drainage systems, utility lines and services, signage, landscaping and irrigation systems, club property or common areas must be reported to the ARC Administrator. The cost of repairing any such damage is the responsibility of the builder, whether such damage is caused by employees of the builder or the builder's subcontractors or suppliers. Damage caused to roads and road right-of-ways shall be restored to original condition including curbing, road asphalt and grass. All stone shall be removed and replaced with approved "top soil" and sod or seeded. All restorations shall have a one year warranty. The ARC Administrator shall approve all restorations. (This must be on the final inspection and sign off by the Administrator. And repair work warranty must be signed by the builder and the owner.)

**S7.1.6 Speed Limits.** For the safety of children and residents, all speed limits shall be respected. Individuals who violate speed limits may be asked to leave (permanently or temporarily) the job site and/or pay fines. Workmen who habitually violate speeding rules will not be permitted access to the community.

**S7.1.7 Construction Parking.** Under certain circumstances, workmen may be required to park in designated areas. When parking is permitted in the immediate area of construction, only one side of the roadway may be used. No parking is permitted in permanently landscaped or grassed areas.

**S7.1.8 Removal of Construction Vehicles.** Construction vehicles [*trucks, vans and cars*] must be removed from job sites each day unless otherwise approved by the ARC Office. Vehicles left within the community are subject to removal at the owner's expense and without prior notice.

**S7.1.9 Job Site Conditions and Dumpsters.** All job sites shall be kept in a clean and orderly condition. Builders and subcontractors are responsible for removal and placement of trash in required dumpsters or designated areas daily. If a recycling plan is in effect, trash shall be placed in appropriate containers.

**S7.1.10 Street Cleaning.** Builders are responsible for keeping streets and adjacent properties routinely swept, clear of mud and dirt and for removing construction materials, trash and debris from adjacent properties, easements and swales abutting job sites under construction.

**S7.1.11 Golf Cart Paths, Walkways & Driveways.** Driving across golf cart paths, walkways or using residential driveway for parking or to turn around is not permitted.

**S7.1.12 Storage of Fill & Materials.** No equipment, fill or materials may be stored or placed in right-of-ways, on vacant lots, or any other portions of the community without approval of the ARC office, and written permission from lot owners.

**S7.1.13 Temporary Electric & Water.** Builders are responsible for providing temporary electric and water service for homes under construction. Builders and subcontractors are not permitted to use the services of another builder without permission. The use of electricity or water from homeowners is strictly prohibited.

**S7.1.14 Loud Music.** The playing of loud music is prohibited. Workmen who continue to violate this provision, after adequate warning, will be asked to leave the community and not permitted to re-enter the property.

**S7.1.15 Pets.** Pets of construction workers are not permitted on job sites or inside vehicles parked within the community.

**S7.1.16 Signage.** No signage is permitted within the community, except signs authorized by the ARC. Unapproved signage, located on lots or other portions of the community, will be removed and discarded without notice.

**S7.1.17 Job Site Activities.** Job site deliveries shall be scheduled between 7:00 a.m. and 6:00 p.m. from Monday thru Friday and 7:00 am to 3:00 p.m. on Saturday. Any exceptions must be approved in advance by the ARC Administrator.

**S7.1.18 Weight Restrictions.** A ten (10) ton total vehicle restriction to include cargo is enforced in Rarity Bay. There are two categories of exception:

1. The first category includes furniture moving vehicles, delivery vehicles to the club and concrete trucks which are to have a maximum cargo of 10 cubic yards.
2. The second category includes all vehicles that exceed 10 tons without cargo. As relates to this category, the allowable cargo is to be at 50% capacity and to be verified by weight tickets. Violations of overweight vehicles will result in fines/banning the company from Rarity Bay.

**S7.1.19 Security.** The security of construction improvements and materials is the responsibility of each builder. Construction vehicles are subject to search at any time and construction personnel are required to cooperate fully with gatehouse personnel.

- **Builders are responsible for ensuring compliance with Construction Standards by their employees, subcontractors and suppliers. Individuals who violate standards may be asked to leave [temporarily or permanently] the job site and/or to pay fines. Workmen who habitually violate rules will not be permitted access to the community. The ARC Administrator or other designated individuals of the ARC shall have the authority to enforce Construction Standards, to issue citations and fines, and to temporarily or permanently dismiss construction personnel from performing work within the community.**

**S7.1.20** The Rarity Bay Golf Course Maintenance facilities and any other Rarity Bay Maintenance facilities are not to be used by anyone other than those persons authorized to use these facilities.



## **Section Eight (S8)**

### *Definitions*

**S8 DEFINITIONS.** The words, terms and phrases contained in this section are defined as follows and shall be interpreted as such throughout this Manual. Terms not defined herein or within the content of the manual shall have the meaning customarily assigned to them or such as the context may imply.

**Accessory Structure** shall mean and refer to a detached structure which is customarily associated with and subordinate to the principal structure including, but not limited to, detached garages, gazebos, swimming pools, spas, and detachable trellises.

**Alteration** shall mean and refer to additions, changes, extensions, rearrangements, enlargements or modifications to existing site grades, drainage, building materials, finishes and colors, construction, or landscaping, except for the repainting of a structure with the same color or repairs which do not result in an alteration. The term “alter”, in its various modes and tenses and its practical forms, refers to the making of an alteration.

**Applicant** shall mean and refer to an Owner who submits a Design Review Application to the ARC.

**Architectural Review Committee (“ARC”) Administrator** shall mean and refer to the individual(s) appointed to accept Design Review Applications from Owners; to conduct field inspections of construction; to maintain records of the ARC; to enforce environmental and construction standards; and to counsel, or refer Applicants to the ARC, with regards to specific standards and guidelines. The Administrator will report to the ARC for all things pertaining to the Design Guidelines Manual.

**Association** shall mean and refer to the Rarity Bay Community Association, Inc. and as further defined in the Declaration of Covenant, Conditions and Restrictions.

**Attached Single-Family Home** shall mean and refer to a house that has its own roof and foundation, and is separated from other houses by dividing walls that extend from roof to foundation. [*Also, may be referred to as a townhome or duplex.*]

**Average Ground Elevation** shall mean and refer to the elevation of the mean finished grade at the front of a structure.

**Basement** shall mean and refer to a story partly or wholly underground. For purposes of height measurement, a basement shall be counted as a story when more than one-half of its height is above the average ground elevation at the front of the structure.

**Buffer Zone** shall mean and refer to a zone of vegetative cover sufficient to restrict significant movement of soil resulting from land-disturbing actions in the immediate vicinity of watercourses in the reservoir area, including manmade or natural drainage ways.

**Buildable Setback Line, Front** shall mean and refer to a line delineating the minimum allowable distance between the street right-of-way, or if an official future street right-of-way has been established, from that future street right-of-way line and the front of the principal structure on a lot [*other than for permitted accessory structures*]. The Front Building Setback Line extends the full width of the lot and is parallel to or concentric with the street right-of-way.

**Buildable Setback Line, Rear** shall mean and refer to a line delineating the minimum allowable distance between the rear property line and the principal structure on a lot [*other than for permitted accessory structures*]. The Rear Building Setback Line extends the full width of the lot.

**Buildable Setback Line, Side** shall mean and refer to a line delineating the minimum allowable distance between the side property line and the principal structure on a lot [*other than for permitted accessory structures*]. The Side Building Setback Line extends from the Front Building Setback Line to the Rear Building Setback Line.

**Commencement of Construction** shall mean and refer to the start of construction which shall not have been deemed to commence until (a) all plans for such construction have been approved by the ARC and TRDA; (b) all fees have been paid; (c) a building permit has been issued for the construction of improvements, and (d) all erosion control measures have been properly installed and inspected by the ARC Administrator.

**Common Area** shall mean and refer to real property devoted to the common use of residents of Rarity Bay and as further defined in the Declaration of Covenants, Conditions and Restrictions.

**Completion of Construction** shall mean and refer to the date a structure is complete: including installation of all landscaping, as evidenced by receipt of a Certificate of Occupancy, Final Electrical, Water and Sewer Inspections (as applicable) and all debris has been removed from the building site.

**Construction Standards** shall mean and refer to standards pertaining to construction site activity as contained in the Design Guidelines Manual.

**Corner Lot** shall mean and refer to any lot which abuts two intersecting roadways.

**Design Guidelines Manual** shall mean and refer to the manual which sets forth policies and procedures of the ARC, and establishes standards, guidelines and provisions for new construction and alterations to existing structures or landscaping.

**Design Documents** shall mean and refer to site plans, architectural or design drawings, specifications, lot grading plans, surveys, engineering details, landscaping plans, color and

material samples, and any other document, drawing, or literature which illustrates, describes, or otherwise interprets the plan of development proposed for any structure, site, parcel or subdivision.

**Design Review Application** shall mean and refer to the form(s) and any attachments thereto for each stage of review as established by the ARC.

**Design Standards** shall mean and refer to the standards of site planning, site development, architecture and landscaping as contained in the Design Guidelines Manual.

**Detached Single-Family Home** shall mean and refer to a house that has open space on all its sides.

**Dock** shall mean and refer to any accessory structure extending from the land into the water intended primarily for the mooring of boats.

**Drip Line** shall mean and refer to the circular area of ground below a tree which corresponds to the greatest extent of its branches.

**Environmental Standards** shall mean and refer to standards pertaining to protection of the environment as contained in the Design Guidelines Manual.

**Finished Area** shall mean and refer to an enclosed area in a house that is suitable for year-round use, embodying walls, floors and ceilings that are similar to the rest of the house.

**Finished Square Footage** shall mean and refer to the finished space of the principal structure as measured at floor level from the outside of a finished perimeter walls and from the center line of demising walls separating heated and non-heated space. Openings in floors are not included in calculations. The area of stair treads and landings proceeding to the floor below is included for the floor from which the stairs descends, not to exceed the area of the opening in the floor.

To be included in calculations, finished areas must have a ceiling height of at least 7'-0" except: under beams, ducts and other obstructions where the height may be 6'-4" under stairs where there is no specified height requirement; or where the ceiling is sloped. If a room's ceiling is sloped, at least one-half of the finished square footage in that room must have a vertical ceiling height of at least 7'-0"; no portion of the finished areas that has a height of less than 5'-0" may be included.

Garages and unfinished areas are not included in calculations. Chimneys, windows and other finished areas that protrude beyond the exterior finished surface of the outside walls and do not have a floor on the same level are not included in calculations.

**Garage** shall mean and refer to the structure or space used or useful for the storage of automobiles and other vehicles. An attached garage is part of the principal structure and a detached garage is an accessory structure.

**Interior Lot** shall mean and refer to a lot other than a corner lot.

**Lot** shall mean and refer to a piece, plot, or parcel of land in one ownership, which may include one or more lots of record, occupied or to be occupied by one principal structure and its accessory structures, including the open spaces required under these standards.

**Lot Coverage** shall mean and refer to the lot area covered by all structures located thereon, including the area covered by all overhanging roofs. The maximum lot coverage may not exceed 50% of the base acreage of the site.

**Maximum Buildable Area** shall mean and refer to the portion of a lot within the building setbacks and upon which the principal structure of a house may be constructed, subject to maximum lot coverage and other provisions contained in the Design Guidelines Manual.

**Minimum Floor Elevation** shall mean and refer to the lowest elevation permissible for the construction, erection or other placement of any floor, including a basement floor.

**Modification** shall mean and refer to additions, changes, extensions, rearrangements, enlargements or alterations to existing site grades, drainage, building materials, finishes and colors, construction, or landscaping, except for the repainting of a structure with the same color or repairs which do not result in a modification. The term “modify” in its various modes and tenses and its practical forms, refer to the making of a modification.

**Open Space** shall mean and refer to an area of a lot [with a principal structure constructed thereon] which is open, unoccupied, and unobstructed by structures from the ground to the sky, except as otherwise provided in these standards.

**Owner** shall mean and refer to the record title holder, whether one (1) or more persons or entities, of the fee simple title to any property within Rarity Bay.

**Parking Space** shall mean and refer to an off-street space available for parking a vehicle and having an area of not less than 200 square feet exclusive of passageways and driveways giving access thereto and having access to a street or alley.

**Plat** shall mean and refer to a map or representation on paper of a piece of land subdivided into lots.

**Principal Structure** shall mean and refer to the main or primary structure on a lot, and shall include any attached secondary structures such as an attached garage.

**Rarity Bay** shall mean and refer to the planned residential community being developed in Loudon and Monroe Counties, Tennessee, and as set forth in the Declaration of Covenants, Conditions and Restrictions.

**Rooflines** shall mean and refer to the highest point of a roof, excluding weathervanes, chimneys or other appurtenances.

**Stone** shall mean and refer to natural stone or manufactured materials with the appearance of stone.

**Story** shall mean and refer to that portion of a structure included between the upper surface of any floor and the upper surface of the floor next above. Any portion of a structure between the top most floor and the roof which is used for human occupancy in which the floor area with 8' or more head clearance equals 50 percent or more of floor area of the next story below shall be considered a "half-story". A basement shall be considered as a story if more than half of its height is above the average ground level from which the height of a structure is measured.

**Structure** shall mean and refer to any principal structure and/or accessory structure.

**Stucco** shall mean and refer to traditional cement-based coating as well as synthetic architectural coatings.

**Unfinished Areas** shall mean and refer to sections of a house that do not meet the criteria of finished area.

**Yard, Front** shall mean and refer to the yard extending across the entire width of the lot between the front of the principal structure, including porches and accessory structures, and the front lot line.

**Yard, Rear** shall mean and refer to the yard extending across the entire width of the lot between the rear of the principal structure, including porches and accessory structures and the rear lot line.

**Yard, Side** shall mean and refer to the yard between the side lot line and the principal structure, accessory structures and between the front yard and rear yard.

# Section Nine (S9)

## S9.0 EXHIBITS AND FORMS

### S9.1 EXHIBIT: NEW HOME APPLICATION

8/14/2013

### RARITY BAY COMMUNITY

150 Rarity Bay Parkway, Vonore, TN 37885

New Home Application			
HOMEOWNERS			
	Name	Mobile Phone	Home Phone
Owner			
Owner			
PERMANENT ADDRESS			
Street Address			
City/State/Zip			
Home Phone			
Mobile Phone			
E-Mail Address			
Seasonal Address			
Street Address			
City/ State/ Zip			
Home Phone			
Time of Year			
RARITY BAY HOMESITE INFORMATION			
Lot/Phase			
Street Address			
Homesite Style			
Homesite View			
Slope			
Dimensions			
ARCHITECT / RESIDENTIAL DESIGNER			
Company			
Contact			
Address			
City/ State/ Zip			
Phone			
E-Mail Address			

Homeowner Initial application.pdf

ARC Form # 1

8/14/2013

## RARITY BAY COMMUNITY

150 Rarity Bay Parkway, Vonore, TN 37885

GENERAL CONTRACTOR			
Company			
Contractor License #	Limits:		
Contact			
Address			
City/ State/ Zip			
Phone			
E-Mail Address			
LANDSCAPE ARCHITECT/DESIGNER			
Company			
Contact			
Address			
City/ State/ Zip			
Phone			
E-Mail Address			
PROPOSED HOME FEATURES			
Architectural Style		Front Porch	
Basement Plan		Rear Porch	
Stories		Swimming Pool	
Bedrooms		Garage	
Full Baths		Generator	
Half Baths		Heated Square Feet	
Family/Great Room		Price Range	
AUTHORIZATIONS			
APPLICATION FEE	\$ 40.00		
TOPOGRAPHIC SURVEY	\$ 550.00		
CONTRACTOR APPROVAL FEE	\$ 75.00	(If not previously approved)	
TOTAL DUE	\$ 665.00	RECEIVED	_____
		CHECK #	_____
ARC ADMINISTRATOR	_____	DATE	_____

**S9.2 EXHIBIT: PRELIMINARY DESIGN REVIEW APPLICATION**

1/2/2013

**RARITY BAY COMMUNITY**  
150 Rarity Bay Parkway, Vonore, TN 37885

1

PRELIMINARY DESIGN REVIEW APPLICATION						
<b>TO</b>	Architectural Review Committee Administrator					
<b>APPLICANT</b>						
<b>LOT</b>						
<b>ADDRESS</b>						
<b>BUILDER</b>						
<b>ARCHITECT/DESIGNER</b>						
APPROXIMATE SF						
HEATED SQ.FT						
GARAGE SQ. FT.						
PATIO SQ.FT.						
DECKS SQ.FT.						
PORCHES SQ.FT.						
TOTAL SQ.FT.						
SETBACKS						
	REQUIRED	ACTUAL		REQUIRED	ACTUAL	
Front			Left			
Back			Right			
SUBMITTED BY						
Applicant Signature	_____			Date	_____	
THE FOLLOWING ITEMS SHALL BE ATTACHED TO THIS APPLICATION: ONE (1) HARD COPY AND PDF COPIES ON CD OR DVD OF ALL DRAWINGS						
Preliminary Design Review Appl. (One copy Only)			Preliminary Elevations			
Preliminary Site Plan			Preliminary Roof Plans			
Preliminary Floor Plans			Preliminary Pool Plans			
ARC REVIEW ACTIONS						
DATE RECEIVED	_____					
DATE REVIEWED	_____					
RELEASED FOR FINAL DESIGN			YES	_____	NO	_____
ARC CHAIRMAN SIGNATURE:	_____					
COMMENTS						



8/14/2013

**RARITY BAY COMMUNITY**

150 Rarity Bay Parkway, Vonore, TN 37885

Comments Continued	
AUTHORIZATIONS	
PRELIMINARY REVIEW FEE	_____ ≤ 5000 Sq Ft = \$400; > 5000 Sq Ft = \$500
TOTAL DUE (Payable to CAI)	_____ RECEIVED _____
	CHECK # _____
ARC ADMINISTRATOR _____	DATE _____

**S9.3 EXHIBIT: FINAL DESIGN REVIEW APPLICATION**

4/14/2014

**RARITY BAY COMMUNITY**  
150 Rarity Bay Parkway, Vonore, TN 37885

FINAL DESIGN REVIEW APPLICATION	
TO	Architectural Review Committee Administrator
APPLICANT	
LOT	
ADDRESS	
BUILDER	
ARCHITECT/DESIGNER	
Square Footage Certification	
MAIN LEVEL FINISHED SF	
REMAINING FINISHED SF	
UNFINISHED SF	
TOTAL SF	
SUBMITTED BY	
Applicant Signature _____	Date _____
THE FOLLOWING ITEMS SHALL BE ATTACHED TO THIS APPLICATION: ONE (1) HARD COPY AND PDF COPIES ON CD OR DVD OF ALL DRAWINGS	
Final Design Review Application	Mailbox and Monumentation Design
Site Grading Plan (SGP) (with Engr Seal)	Builder Application & Agreement
(Include septic & mechanical equip on SGP)	Sewer Fees (\$1800)
Floor Plans	Refundable Builder Construction Deposit (\$2000)
Building Sections & Footer-Foundation Detail	Refundable Homeowner Compliance Deposit (\$2500)
Exterior Elevations	Homeowner Final Review Fees
Roof Plan	≤ 5000 gross Sq Ft = \$2645
Pool Plans	> 5000 to ≤ 7500 gross Sq Ft = \$2945
Retaining Wall Details	> 7500 gross Sq Ft = \$3145
Landscape Plan (ARC Form #3L)(with attachments)	
Certificate of Insurance	TRDA Application for Building Permit
ARC REVIEW ACTIONS	
DATE RECEIVED _____	ARC Administrator Signature _____
Insurance Certificate Received	Yes <input type="checkbox"/> No <input type="checkbox"/>
DATE REVIEWED _____	
Approval Status	Approved as Submitted <input type="checkbox"/> Approved with Stipulations <input type="checkbox"/> Disapproved <input type="checkbox"/>
ARC Chairman Signature: _____	
Date Released for Construction: _____	
ARC Stipulations (if any); Stipulations are Binding on Applicants	

FinalDesignReview Application.pdf

ARC Form # 3

8/13/2013

**RARITY BAY COMMUNITY**

150 Rarity Bay Parkway, Vonore, TN 37885

Exterior Features				
APPLICANT			LOT	
BUILDER			ADDRESS	
ITEM	MANUFACTURER SERIES, MODEL, OR DESCRIPTION	FINISH/COLOR	Submit with Application	
			Product Photos	Product Samples
Roof Shingles				✓
Chimney Finish				✓
Chimney Cap				✓
Fascia				✓
Soffit				✓
Gutters				✓
Wood Siding				✓
Fiber-Cement Siding				✓
Stucco				✓
Stone				✓
Stone Mortar				✓
Brick				✓
Brick Mortar				✓
Louvered Vents				
Windows				

8/13/2013

**RARITY BAY COMMUNITY**

150 Rarity Bay Parkway, Vonore, TN 37885

Exterior Finish & Color Schedule				
APPLICANT			LOT	
BUILDER			ADDRESS	
ITEM	MANUFACTURER SERIES, MODEL, OR DESCRIPTION	FINISH/COLOR	Submit with Application	
			Product Photos	Product Samples
Columns				
Shutters				
Railings			✓	
Front Door			✓	
Garage Door			✓	
Driveway			✓	
Walkways			✓	
Porch Deck			✓	
Pool Deck			✓	
Fence			✓	



8/13/2013

**RARITY BAY COMMUNITY**

150 Rarity Bay Parkway, Vonore, TN 37885

COLOR CHIPS			
APPLICANT		LOT	
BUILDER		ADDRESS	
ATTACH COLOR CHIPS AND CHECK APPLICABLE ITEMS ONLY ONE CHIP SHEET REQUIRED PER SUBMITTAL			
Applies to <input type="checkbox"/>		Applies to <input type="checkbox"/>	
Chip # 1		Chip # 4	
<input type="checkbox"/> Stucco: Main Body <input type="checkbox"/> Stucco: Bands/Quoins <input type="checkbox"/> Siding <input type="checkbox"/> Fascia <input type="checkbox"/> Soffit <input type="checkbox"/> Millwork/Mouldings <input type="checkbox"/> Front Door <input type="checkbox"/> Garage Door <input type="checkbox"/> Shutters <input type="checkbox"/> Windows <input type="checkbox"/> Window Trim <input type="checkbox"/> Columns <input type="checkbox"/> Louvered Vents <input type="checkbox"/> Railings	Attach Color Chip	<input type="checkbox"/> Stucco: Main Body <input type="checkbox"/> Stucco: Bands/Quoins <input type="checkbox"/> Siding <input type="checkbox"/> Fascia <input type="checkbox"/> Soffit <input type="checkbox"/> Millwork/Mouldings <input type="checkbox"/> Front Door <input type="checkbox"/> Garage Door <input type="checkbox"/> Shutters <input type="checkbox"/> Windows <input type="checkbox"/> Window Trim <input type="checkbox"/> Columns <input type="checkbox"/> Louvered Vents <input type="checkbox"/> Railings	Attach Color Chip
Applies to <input type="checkbox"/>		Applies to <input type="checkbox"/>	
Chip # 2		Chip # 5	
<input type="checkbox"/> Stucco: Main Body <input type="checkbox"/> Stucco: Bands/Quoins <input type="checkbox"/> Siding <input type="checkbox"/> Fascia <input type="checkbox"/> Soffit <input type="checkbox"/> Millwork/Mouldings <input type="checkbox"/> Front Door <input type="checkbox"/> Garage Door <input type="checkbox"/> Shutters <input type="checkbox"/> Windows <input type="checkbox"/> Window Trim <input type="checkbox"/> Columns <input type="checkbox"/> Louvered Vents <input type="checkbox"/> Railings	Attach Color Chip	<input type="checkbox"/> Stucco: Main Body <input type="checkbox"/> Stucco: Bands/Quoins <input type="checkbox"/> Siding <input type="checkbox"/> Fascia <input type="checkbox"/> Soffit <input type="checkbox"/> Millwork/Mouldings <input type="checkbox"/> Front Door <input type="checkbox"/> Garage Door <input type="checkbox"/> Shutters <input type="checkbox"/> Windows <input type="checkbox"/> Window Trim <input type="checkbox"/> Columns <input type="checkbox"/> Louvered Vents <input type="checkbox"/> Railings	Attach Color Chip
Applies to <input type="checkbox"/>		Applies to <input type="checkbox"/>	
Chip # 3		Chip # 6	
<input type="checkbox"/> Stucco: Main Body <input type="checkbox"/> Stucco: Bands/Quoins <input type="checkbox"/> Siding <input type="checkbox"/> Fascia <input type="checkbox"/> Soffit <input type="checkbox"/> Millwork/Mouldings <input type="checkbox"/> Front Door <input type="checkbox"/> Garage Door <input type="checkbox"/> Shutters <input type="checkbox"/> Windows <input type="checkbox"/> Window Trim <input type="checkbox"/> Columns <input type="checkbox"/> Louvered Vents <input type="checkbox"/> Railings	Attach Color Chip	<input type="checkbox"/> Stucco: Main Body <input type="checkbox"/> Stucco: Bands/Quoins <input type="checkbox"/> Siding <input type="checkbox"/> Fascia <input type="checkbox"/> Soffit <input type="checkbox"/> Millwork/Mouldings <input type="checkbox"/> Front Door <input type="checkbox"/> Garage Door <input type="checkbox"/> Shutters <input type="checkbox"/> Windows <input type="checkbox"/> Window Trim <input type="checkbox"/> Columns <input type="checkbox"/> Louvered Vents <input type="checkbox"/> Railings	Attach Color Chip

## S9.4 EXHIBIT: LANDSCAPE REVIEW APPLICATION

4/14/2014

**RARITY BAY COMMUNITY**  
150 Rarity Bay Parkway, Vonore, TN 37885

1

LANDSCAPE REVIEW APPLICATION	
TO	Architectural Review Committee Administrator
APPLICANT	
LOT # & ADDRESS	
BUILDER	
LANDSCAPE DESIGNER/CONTRACTOR	
SUBMITTED BY:	
Applicant acknowledges and understands that landscaping and irrigation must be completed or in progress prior to occupancy of the home (applicant must get approval from the ARC to post-pone landscape construction prior to occupancy due to non-planting months).	
Applicant Signature [Lot Owner]	Date Submitted:
Attach Copies of the Following: 1 copy 11" x 17" or larger; PDF copies on CD or DVD	
<input type="checkbox"/> Landscape Plan (Include screening for mechanicals on this Plan) <input type="checkbox"/> Irrigation Plan	
SUBMITTED BY	
Applicant Signature _____	Date _____
ARC REVIEW ACTIONS	
DATE RECEIVED _____	ARC Administrator Sig: _____
DATE REVIEWED _____	
Approval Status    Approved as Submitted ____ Approved with Stipulations ____ Disapproved ____	
ARC CHAIRMAN SIGNATURE: _____ DATE: _____	
STIPULATIONS, IF ANY. STIPULATIONS ARE BINDING ON APPLICANTS	

LandscapeReviewApplication.pdf

ARC Form # 3L





8/14/2013

**RARITY BAY COMMUNITY**  
150 Rarity Bay Parkway, Vonore, TN 37885

<b>Landscape Review Application</b>								
<b>Landscape Lighting Schedule</b>								
APPLICANT					LOT			
BUILDER					ADDRESS			
CODE FIXTURES TO PLANS    CODE & ATTACH PHOTO COPIES OF ALL FIXTURES								
CODE	QTY	[ <input type="checkbox"/> ] CHECK FIXTURE TYPE						Finish/Color & Remarks
		Bollard	Ground	Spread	Spot	Well	Other	

## S9.5 EXHIBIT: ALTERATION APPLICATION

1/14/2013

**RARITY BAY COMMUNITY**  
150 Rarity Bay Parkway, Vonore, TN 37885

1

MAJOR ALTERATION DESIGN REVIEW APPLICATION					
<b>TO</b>	Architectural Review Committee Administrator				
<b>APPLICANT</b>					
<b>LOT</b>					
<b>ADDRESS</b>					
<b>BUILDER</b>					
<b>ARCHITECT/DESIGNER</b>					
BUILDING ADDITION APPROXIMATE SF					
HEATED SQ.FT					
GARAGE SQ. FT.					
PATIO SQ.FT.					
DECKS SQ.FT.					
PORCHES SQ.FT.					
TOTAL SQ.FT.					
SETBACKS					
	REQUIRED	ACTUAL		REQUIRED	ACTUAL
Front			Left		
Back			Right		
LANDSCAPING ADDITION (Description of Changes)					
SUBMITTED BY					
Applicant Signature _____			Date _____		
THE FOLLOWING ITEMS SHALL BE ATTACHED TO THIS APPLICATION: One (1) HARD COPY AND PDF COPIES ON CD OR DVD OF ALL DRAWINGS					
Alteration Review Appl.		Final Elevations (If applicable)			
Revised Site Plan		Final Roof Plans (If applicable)			
Final Floor Plans (If applicable)		Landscape or Pool Plans (If applicable)			

8/14/2013

**RARITY BAY COMMUNITY**

150 Rarity Bay Parkway, Vonore, TN 37885

AUTHORIZATIONS		
<b>ARCHITECTURAL REVIEW FEE</b>	\$150 if applicable	\$ _____
<b>LANDSCAPE REVIEW FEE</b>	\$135 if applicable	\$ _____ CHECK # _____
<b>TOTAL DUE</b>		\$ _____
<b>ARC ADMINISTRATOR</b> _____		<b>DATE</b> _____
ARC REVIEW ACTIONS		
<b>DATE RECEIVED</b> _____		
<b>RELEASED FOR CONSTRUCTION</b> _____		
YES _____		NO _____
<b>ARC CHAIRMAN SIGNATURE:</b> _____		<b>Date:</b> _____
COMMENTS		

## S9.6 EXHIBIT: BOAT DOCK APPLICATION

2/14/2014

### RARITY BAY COMMUNITY

1

150 Rarity Bay Parkway, Vonore, TN 37885

### Boat Dock Application

(Required prior to application for TVA 26A Permit)

Name:			
Lot #:			
Phone #:			
Dock Builder:			
Dock Builder Phone #:			
Est. Construction Start Date:			
Est. Completion Date:			
<b>PROPOSED CONSTRUCTION</b>			
Foundation Material:		Color:	
Exterior Material:		Color:	
Trim Material:		Color:	
Facia Material:		Color:	
Roofing Material:		Color:	
Roof Form:			
Roof Pitch:			
Additional Items (if any):			
<b>SUBMIT PLANS, DRAWINGS AND ELEVATIONS WITH SUBMITTAL COLOR CHIPS MUST BE SUBMITTED FOR ALL EXTERIOR ITEMS USED</b>			
I (we) the undersigned, warrant that no changes in the above specifications will be made without the written approval of the Rarity Bay Architectural Review Committee.			
Property Owner:	_____	Date:	_____
Property Owner:	_____	Date:	_____
Contractor:	_____	Date:	_____
<b>PACKAGE ACCEPTANCE</b>			
Boat Dock Review Fee	\$100	CHECK #	_____
ARC ADMINISTRATOR	_____	DATE	_____
ARC Administrator Notes/Comments			

Dock Application.pdf

ARC Form # 5

8/14/2013

### RARITY BAY COMMUNITY

150 Rarity Bay Parkway, Vonore, TN 37885

ARC REVIEW ACTIONS	
DATE RECEIVED _____	
DESIGN APPROVED: YES _____	NO _____
ARC CHAIRMAN SIGNATURE: _____	Date: _____
<b>DESIGN APPROVAL BY THE RARITY BAY ARCHITECTURAL REVIEW COMMITTEE DOES NOT ELIMINATE THE NEED FOR TVA REVIEW AND APPROVAL OF THE PROPOSED DOCK FACILITY IN CONFORMANCE WITH A SET OF PREAPPROVED PLANS AND SECTION 26A OF THE TVA ACT.</b>	
<b>Homeowner must provide a copy of TVA approval document prior to ARC approval to begin construction.</b>	
DATE TVA APPROVAL RECEIVED: _____	
APPROVED TO BEGIN CONSTRUCTION: YES _____	NO _____
ARC CHAIRMAN SIGNATURE: _____	Date: _____

Dock Application.pdf

ARC Form # 5

**S9.7 EXHIBIT: APPLICATION for CERTIFICATION of COMPLIANCE**

**THIS FORM IS DUE WHEN THE HOME IS COMPLETED AND A REQUEST IS MADE FOR FINAL INSPECTION. IT SHOULD BE COMPLETED AND SUBMITTED WITH ITEMS DETAILED ON THE FINAL INPSECTION & SUBMITTAL CHECKLIST**

Property Owner \_\_\_\_\_

Address: \_\_\_\_\_ Lot # \_\_\_\_\_

**ELECTRICAL**

The General Contractor hereby certifies that electrical work has been completed in compliance with the standards prescribed by the Rarity Bay Design Guidelines and has been approved by the State of Tennessee Electrical Inspector.

\_\_\_\_\_  
Electric Meter Number

\_\_\_\_\_  
Date

**COMPLETED CERTIFICATION BY THE GENERAL CONTRACTOR**

The General Contractor hereby certifies that all work has been performed in keeping with all plans submitted to the Rarity Bay ARC. To the best of my knowledge, this residence shall not be used for either business or commercial purposes.

\_\_\_\_\_  
General Contractor

\_\_\_\_\_  
Date

**CERTIFICATE BY THE RARITY BAY ARCHITECTURAL REVIEW COMMITTEE**

Work has been performed in keeping with the plans submitted to the Rarity Bay Architectural Review Committee.

\_\_\_\_\_  
Rarity Bay Architectural Review Committee

\_\_\_\_\_  
Date



## **S9.8 BUILDER APPLICATION**

8/14/2013

**RARITY BAY COMMUNITY**  
150 Rarity Bay Parkway, Vonore, TN 37885

<b>BUILDER APPLICATION</b>			
<b>BACKGROUND</b>			
Company Name:			
Trade Name (if any):			
Tennessee License #			
Limits of Construction (\$)			
Parent Company (if any):			
Street			
City/State/Zip			
Telephone			
Fax			
Type of Company	Sole Proprietorship ___ "C" Corporation ___ "S" Corporation ___ Partnership ___		
<b>OFFICERS &amp; DIRECTORS</b>			
Please list all officers and directors of the corporation or partnership			
Title	Name	Percent of Ownership	Yrs with Company
<b>SUBCONTRACTOR &amp; SUPPLIER REFERENCES</b>			
Please list the subcontractors and suppliers with whom the company is primarily doing business			
Sub/Supplier	Company Name	Contact	Telephone
Electrical			
Plumbing			
Drywall			
Carpentry			
HVAC			
Lumber/Framing			
Concrete			
Painting			
<b>FINANCIAL REFERENCES</b>			
Please list the financial institutions with whom the company is primarily doing business			
Lender	Contact	Telephone	

Builder Application.pdf

ARC Form # 6

8/14/2013

**RARITY BAY COMMUNITY**

150 Rarity Bay Parkway, Vonore, TN 37885

OWNER REFERENCES		
Please provide owner name, location of home, and contact phone number		
Owner Name	Location	Phone

GENERAL INFORMATION			
In what state(s) is the company incorporated or registered? _____			
In what state is the parent company (if any) incorporated or registered? _____			
How many full-time personnel are employed by the company? _____			
In what year was the company founded? _____			
Respond yes or no to the following:	Yes	No	Comments
Is the company a member of NAHB?			
Is the company or any of its officers, partners or principals in default of any loans?			
Has the company or any of its officers, partners or principals ever filed bankruptcy or been adjudicated as bankrupt within the past seven years?			
Have any of the company's officers, partners or principals ever been convicted of a felony?			
Have any of the company's officers, partners or principals ever had a real estate or contractors license suspended or revoked?			
Does the company maintain full-time, professional office space for conducting its business and meetings with customers?			
SUBMITTED BY:			
As an authorized agent of the company, the undersigned submits the above information and attachments as being true and correct, and authorizes the Rarity Bay Community Association and its designated agents to utilize such information, obtain financial and credit information, and make investigations concerning the company and its officers, partners and principals as may be deemed necessary and prudent. The company and undersigned agent agree to indemnify and hold harmless Rarity Bay Community Association and its designated agents for any costs, damages or liability arising from any such investigation.			
Signature: _____		Date: _____	



## **APPENDIX A: BAY POINTE AT RARITY BAY ADDENDUM**

**A1.1 Purpose and Overview** The following addendum items are required for the gated neighborhood of custom homesites within Bay Pointe property of Rarity Bay.

The purpose is to elevate the use of the Country French character beyond that previously seen or built within Rarity Bay. The elements of design will direct the homeowner to enhance their home designs to reflect a true and historically correct application of the Country French theme through the use of detailing, materials, scale and proportion.

Refer to the design elements located in Section Five (S5) for additional information. The design elements in the following pages are in addition to Section Five (S5) and override all previously stated design guidelines herein.

**A1.2 Color & Materials** Color is an important element that will be carefully scrutinized throughout Bay Pointe neighborhoods. Not only is it required to be chosen from the approved color palette, but it must be used to further reduce the large expanses of stucco where applicable.

Material application will be reviewed to ensure that no home be designed using one exterior finish material. Combinations of the approved materials will further enhance the home's scale, proportion and massing, reducing the dominance of the home to its immediate environment. Materials should be applied to create both vertical and horizontal movement on all exterior wall planes.

**A1.3 Massing, Scale & Proportion** The following techniques are appropriate means to achieve proper massing, scale and proportions:

- 360-degree architectural design is required; meaning all four sides of the home design must reflect continuity, providing the same attention to design and detailing.
- A softened approach to building massing, deemphasizing large masses of two story elements using historical influences of the Country French style.
- Mixture of one and two story components within a two story home.
- Varied setbacks for various components of the home such as; garage, second floors, etc.
- Utilization of ell's (a wing at right angles) and porches.
- Staggered offset wall planes on each facade.
- Mixture of one and two story homes within a neighborhood.
- Massing characterized by a series of stepping forms.
- An assemblage of multi-dimensional components.
- Homes at one with the land, giving the sense of permanence.
- Minimum of three façade element breaks at building front and rear facades.

**A1.4 Roof & Roof Forms** Roof forms and materials are in integral component of the Country French style. Additional elements required for these neighborhoods of Rarity Bay are:

- Minimum roof pitch of 10:12, however the preferred pitch is 12:12.
- Roof materials required are 40 year architectural dimensional asphalt shingle, slate, flat concrete roof tiles, cedar shake shingles and clay barrel tiles as accents on ridges and hips when using the shake shingles.
- Double pitched eaves or bell cast (flared) eaves
- Dormers penetrating the roof and/or the roof and fascia, which can be windowed or vented.
- Dormers in various shapes are widely encouraged such as: shed, gabled, hipped, flat, arched or eyebrow.
- A minimum of 4:12 roof may be applied and is encouraged at porches, entries and other minor elements. This will enhance the scale and proportions and the historical use of the Country French style.

**A1.5 Garages** The location of the garage will be strictly scrutinized based on the home site and the following requirements:

- Garages will not be permitted to be sited as direct front entry, unless mitigated by a courtyard wall, entry gate and/or porte-cochere structure, all of which are subject to the review and approval of the ARC. No front entry garages are permitted to be sited on the front setback and must be located a minimum of 30' – 0" from the front setback.
- The following garage configurations are encouraged:
  - Courtyard
  - Side yard loaded (or accessed)
  - Rear loaded, provided they are not viewed from an amenity
  - Recessed front load courtyard must be screened from the street with the use of porte-cochere, trellis, entry wall with gate
  - Detached garages
- All elements regarding the garage doors, i.e.; offsets, maximum doors per wall plane, etc., will be strictly enforced. All garage entry drives are required to have a courtyard wall and/or gate between the front setback and the garage.

**A1.6 Windows & Doors** Window projections and window/door detailing patterns should be compatible in scale with the house and the architectural character. Large wall planes with undersized windows and minimal detailing are inappropriate.

Window header heights should adjust with varying plate heights:

- 8' – 0" plate: 6' – 8" header height min./max.
- 9' – 0" plate: 8' – 0" header height min.
- 10' – 0" plate: 8' – 0" header min. with or without transom.

- Greater than 10' – 0" plate: to be reviewed and determined at the discretion of the ARC.

Window sill heights should adjust with varying plate heights:

- 8' – 0" plate: 1' – 8" sill height min.
- 9' – 0" plate: 2' – 0" sill height min.
- 10' – 0" plate or greater: 2' – 0" sill height min.

Window transoms must be proportionate in the wall plane, careful attention to the proportion of wall surface height between the top of window/transom to fascia, rake and soffit should be considered.

Window and door treatment characteristics include:

- Half and soft (flattened) arch
- Multi-paned
- Oversized shutters, matching window shape
- Bowed, projected or angled bays
- Stucco, stone, brick, wood, and quoin window and door surrounds
- Front doors with sidelights and transoms
- Planters or pot shelves
- Doors with lintels and border brick surrounds
- Accent windows in various shapes (round, oval, hexagonal, etc.)
- Accent colors applied to entry doors

**A1.7 Porches, Decks, Columns & Deck Column Supports** The design of Porches, Decks, Columns and Deck Column supports will be strictly reviewed based on the following criteria:

- Standard wood post of any size left unadorned will not be permitted
- Minimum wood post size required is 8x8 and must have additional detailing treatment applied as follows:
  - Knee braces
  - Pedestal of brick, stone or stucco and any combinations of these materials
  - Column bases and caps
- Full height columns of brick, stone or stucco and any combinations of these materials
- Columns may terminate at the bottom of decks or continue as an integral element of the deck guardrail design
- Decks are required to have substantial frieze board treatment rather than the standard 2x10 rim joist typically constructed
- Front porches must provide lattice screening or continue exterior finish material to within 6" of finish grade when raised above grade

- Entry porches must be designed so not to be an imposing disproportionate element. Entries more than 1 ½ stories will be required to be reduced in their overall proportion with the use of multiple material, intermediate roof elements, color, etc.

## APPENDIX B: ARC DESIGN REVIEW FEES

11/13/2013

### RARITY BAY COMMUNITY

1

150 Rarity Bay Parkway, Vonore, TN 37885

2013 ARC Design Review Fees		
PROCESS	AMOUNT	DUE
New Home Application:		
Application Fee	\$40	With Application
Topographic Survey	\$ 550.00	With Application
Contractor Approval (if not previously approved)	\$ 75.00	With Application
PRELIMINARY REVIEW FEE (ARC Form # 2) ≤ 5000 Sq Ft = \$400 > 5000 Sq Ft = \$500 Review fees include one hour consulting time with ARC Architectural Consultant at his office	\$400/\$500	With Prelim Submission
FINAL REVIEW FEES for improvements to a vacant lot (ARC Form # 3 + 3L)		With Final Submission
≤ 5000 gross Sq Ft =	\$2,645	
> 5000 gross Sq Ft to ≤ 7500 gross Sq Ft =	\$2,945	
> 7500 gross Sq Ft =	\$3,145	
MODIFICATION TO HOUSE UNDER CONSTRUCTION (1st Modification- no charge)	\$ 150.00	With Modified Subm.
ARCHITECTURAL ALTERATIONS for Completed Homesite (Base Fee) (ARC Form # 4)	\$ 150.00	With Revised plans
SUBSTANTIAL LANDSCAPE ALTERATIONS on Completed Homesite (ARC Form # 4)	\$ 135.00	With Revised plans
GENERATOR OR SOLAR PANEL additions to completed house	\$ 50.00	With Revised plans
WATER FEATURE to completed Homesite	\$ 150.00	With Revised plans
BOAT DOCK REVIEW FEE	\$ 100.00	With Revised plans
SETBACK WAIVER or VARIANCE - Vacant lot or completed Homesite (Refundable if not approved)	\$ 200.00	With Waiver Appl.
A. The ARC in its sole discretion may rescind this fee if it is determined that because of the constraints imposed by a site configuration or topography, or the Homesite cannot be built without a variance B. The ARC decides whether a variance is to be granted or denied based on the covenants and the ARC guidelines, requirements, and the merits of the request. A variance may be granted only if it is found to be reasonable, in conformance with the Rarity Bay philosophy and standards and will not unduly interfere with another property owner's rights. C. A Waiver or Variance granted only applies to the specific encroachment described in the Waiver/Variance Application. Applicant may not, at any time, construct or install anything in that setback that is not specific to the approved application.		
CONTRACTORS QUALIFICATION SUBMISSION (if not already approved)	\$ 75.00	With Application
SEWER IMPACT, CONNECTION AND TAP FEES	\$ 1,800.00	With Final Submission
REFUNDABLE CONSTRUCTION DEPOSIT (From General Contractor)	\$ 2,000.00	With Final Submission
REFUNDABLE HOMEOWNER COMPLIANCE DEPOSIT (From Homeowner)	\$ 2,500.00	With Final Submission

All checks are to be made payable to the Rarity Bay CAI

## APPENDIX C: TRDA APPLICATION FOR BUILDING PERMIT

### APPLICATION FOR BUILDING PERMIT - RARITY BAY

TO: Tellico Reservoir Development Agency DATE: \_\_\_\_\_  
FROM: \_\_\_\_\_  
OWNER: \_\_\_\_\_ PHONE: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_  
CONTRACTOR: \_\_\_\_\_ PHONE: \_\_\_\_\_  
LOCATION: \_\_\_\_\_

PURPOSE:  Residential  Other \_\_\_\_\_  
Lot Type  Custom Waterfront  Custom View  Custom Golf Frontage  Custom Estates  
 Production Luxury  Production Standard  Production Sm. Lot  Production Sm. Lot Dix.  
 Production Sm. Lot BR  Production Attached  Production Attached Dix.

FLOORS: \_\_\_\_\_ HEIGHT ABOVE 1ST FLOOR LEVEL: \_\_\_\_\_  
BEDROOMS: \_\_\_\_\_ BATHS: \_\_\_\_\_ KITCHENS: \_\_\_\_\_  
GARAGE (SIZE): \_\_\_\_\_ ATTACHED  DETACHED   
-  
EXTERIOR MATERIALS: \_\_\_\_\_  
ROOFING MATERIAL: \_\_\_\_\_ DRIVEWAY MATERIAL: \_\_\_\_\_  
-  
CHIMNEYS: \_\_\_\_\_ MATERIALS: \_\_\_\_\_  
-  
SQUARE FOOTAGE 1ST FLOOR: \_\_\_\_\_ SQUARE FOOTAGE FINISHED: \_\_\_\_\_  
SQUARE FOOTAGE UNFINISHED: \_\_\_\_\_ TOTAL: \_\_\_\_\_  
DECKS: \_\_\_\_\_ OUTBUILDINGS: \_\_\_\_\_  
OTHER: \_\_\_\_\_  
UTILITY CONNECTIONS:  WATER  SEWER  ELECTRIC  GAS  
SETBACKS REQUIRED: FRONT: \_\_\_\_\_ SIDE: \_\_\_\_\_ BACK: \_\_\_\_\_  
ESTIMATED COST: \_\_\_\_\_ ESTIMATED COMMENCEMENT DATE: \_\_\_\_\_

I hereby certify that I am the owner, or agent of owner, and that the information given herein is true and correct, and that I am authorized to obtain the Building Permit. I certify that the construction authorized by the Building Permit will be in substantial compliance with the information herein and with the Plans and Specifications submitted herewith (which are a part of this Application), that construction will comply with applicable Southern Building Codes, State and local fire codes, and building requirements and restrictions contained in the Covenants, Conditions, and Restrictions of Rarity Bay in Warranty Deed Book 214, Page 295 in Loudon County, Tennessee and Warranty Deed Book 218, Page 529 in Monroe County, Tennessee. I understand that if the construction and/or installation for which the Permit is issued is contrary to or not in compliance with the above requirements and regulations, violations or deficiencies must be immediately corrected or the permit issued may be voided and construction stopped.

\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
Date

RARITY BAY ARCHITECTURAL REVIEW COMMITTEE

BY: \_\_\_\_\_ DATE: \_\_\_\_\_

TELLICO RESERVOIR DEVELOPMENT AGENCY, APPROVAL OF PERMIT ISSUED

BY: \_\_\_\_\_ DATE: \_\_\_\_\_

## **APPENDIX D – SEWER SYSTEM REQUIREMENTS**

### **D1.1 The Tank:**

- The home discharge pipe will have a two way 4 inch schedule 40 clean out T between the home and the tank.
- The tank will set on a 6 inch of stone bedding
- The tank hole will be no more than 1 foot wider and longer than the tank.
- The tank shall be made watertight and installed no more than three (3) feet below the final grade.
- The tank should be located closest to the street for easy maintenance if possible.
- The tank will be no more than 40 feet from the home.
- The tank will be within site of the control panel and no more than 50 feet away.
- The tank is a pre-cast concrete (5000 psi concrete or stronger) and has a 1500 gallon capacity or larger and sized by the Architectural Review Committee (ARC) to Tennessee State regulations.
- The walls are 3 -5 inches thick with a dividing wall between the solids and the grey water or pump side.
- The top of the tank will be 4 - 6 inches thick.
- The tank may be from 62 to 70 inches tall depending on the supplier.
- The inlet will have a cast in place rubber sealing ring with a stainless steel clamp to seal to the 4 inch schedule 40 discharge pipe from the home.
- The inlet pipe will protrude into the tank 18 inches and have a T fitting vertical with an 18 inch pipe downwards from the T fitting.
- The dividing wall will have a 4 inch schedule 40 pipe through the wall, 2 - 3 inches below the inlet pipe.
- The dividing wall pipe will have a schedule 40, 4 inch T with an 18 inch piece of 4 inch schedule 40 pipe vertically below the dividing wall T.
- The top of the tank will have three cast in place rings (Orenco part # PRTA24) to attach the 24 inch risers to the ring. The ring will extend at least 1 inch above the top of the tank.
- The riser openings will be above the inlet pipe T, above the dividing wall T and the small side of the tank for the pump and filter system.
- Inside the 24 in riser openings will be a concrete ledge for the pump and Orenco filter assembly to rest on. The ledge will have a 19 inch (minimum) opening.
- The tank top seal leak test will be performed and inspected before any backfilling of the tank and the water should not be higher than 1 inch into the cement riser opening. Filling the tank higher may damage the top, tank and or the top seal. (**Caution:** Check the tank manufacture's guidelines before filling the tank). The tank must maintain this level for 24 hours. **Inspection # 3** done twice 24 hours apart.
- The riser pipe will be one piece and cut for the job. The riser pipe will be Orenco certified such as Ultra-Cor or Ultra-Rib 24" Dia. and cut to height.
- Riser cannot be lower than 18 inches or more than 36 inches in height with 4 inches above the finish grade that slopes away from the risers.
- The risers will be sealed to the adapter rings with adhesive MA320 (see Orenco *Installation Guide* Page 2 Step 1e) and ADH100. A smooth fillet of ADH 100 should be

applied from the inside between the riser and the adapter ring after the MA320 has cured for 24 hours.

- After the adhesives have set, test the risers for water tightness. Cap the inlet pipe. Place 2 inches of appropriate backfill material on top of the tank and fill the tank with clean water to a level 2 inches above the adhesive joint in the risers. To avoid structural damage to the tank, do not allow the water level to rise more than 3 inches into the riser. **Inspection #4** done twice 24 hours apart. (**CAUTION:** *Check the tank manufacturer's guidelines before filling the tank. Some tank Manufacturers require a partial or complete backfill before a tank is filled*)
- There shall be a Hayward (part# TC10100STE) PVC sch. 80 ball check valve and schedule 40 PVC shut off valve at the street in a valve box with the lid at final grade. It is required to use a single wrap of Teflon tape on the threads of the ball check valve. The shut off valve shall be between the check valve and the main line.
- Side entry into tank must be approved by Ryan Stamey or assignee.

## **D1.2 The Certified ProSTEP Effluent Pump System:**

**Kit part numbers; 1500 Gallon Barger or Watson Tank; Kit # PSA10 - Rarity Bay**

The Package includes;

Paper work for an **Orenco Five Year Parts Warranty** to be filled out by Ryan Stamey, Operations Director, Rarity Bay CAI or his assignee. The installer is required to present the parts in the kit installed and operational to the CAI inspector for the parts warranty to become effective. RBCAI will file the completed form and inspection reports into the Architectural Review Committee (ARC) file for this home. Not following these instructions voids the Five Year Parts warranty.

Control Panel – # S2ETM

1 inch Discharge Assembly (flex hose, Valve, Union and Piping) – # HV100BCFCX

Pump, Orenco 1 hp, 10 gpm, 230volts with 10 foot leads - # PF101012

External splice box - # SBEX4

Floats, 3 floats normally open, narrow angle, 10 foot leads - # MF3A-Y, B, R-21FS

### **Other parts;**

Adhesive for riser ring - 2 - MA320 & 1 - ADH100

Grommet for 1 inch schedule 80 discharge pipe - # G1L

Proper Orenco hole saws for the external splice box and 1 inch discharge pipe. Not using the proper hole saws may damage the riser and the riser would have to be replaced.



Riser lid – # FL24G-4BU

Hayward 1 inch schedule 80 PVC check Valve - TC10100STE or Orenco equivalent.

**Note:**

The control panel must be installed on the home within 50 feet of the tank and within site of the tank. We might suggest mounting the Control Panel on a non-living wall (i.e. non used bedroom, garage, etc.) because of the motor contactor thumping when the pump starts and stops. The Control Panel bottom must be mounted 48 - 60 inches off the final grade and have at least two feet in front of it for service repairman to operate it.

All electrical connections to the Control Panel will be made on the bottom of the panel. The  $\frac{3}{4}$  inch plastic electrical conduit must be continuous between the control panel and the external splice box and enter on the bottom of the external splice box. The conduit may only have pulling bends and not 90 or 45 degree fittings. The conduit joints will be glued and waterproof with the appropriate conduit cement.

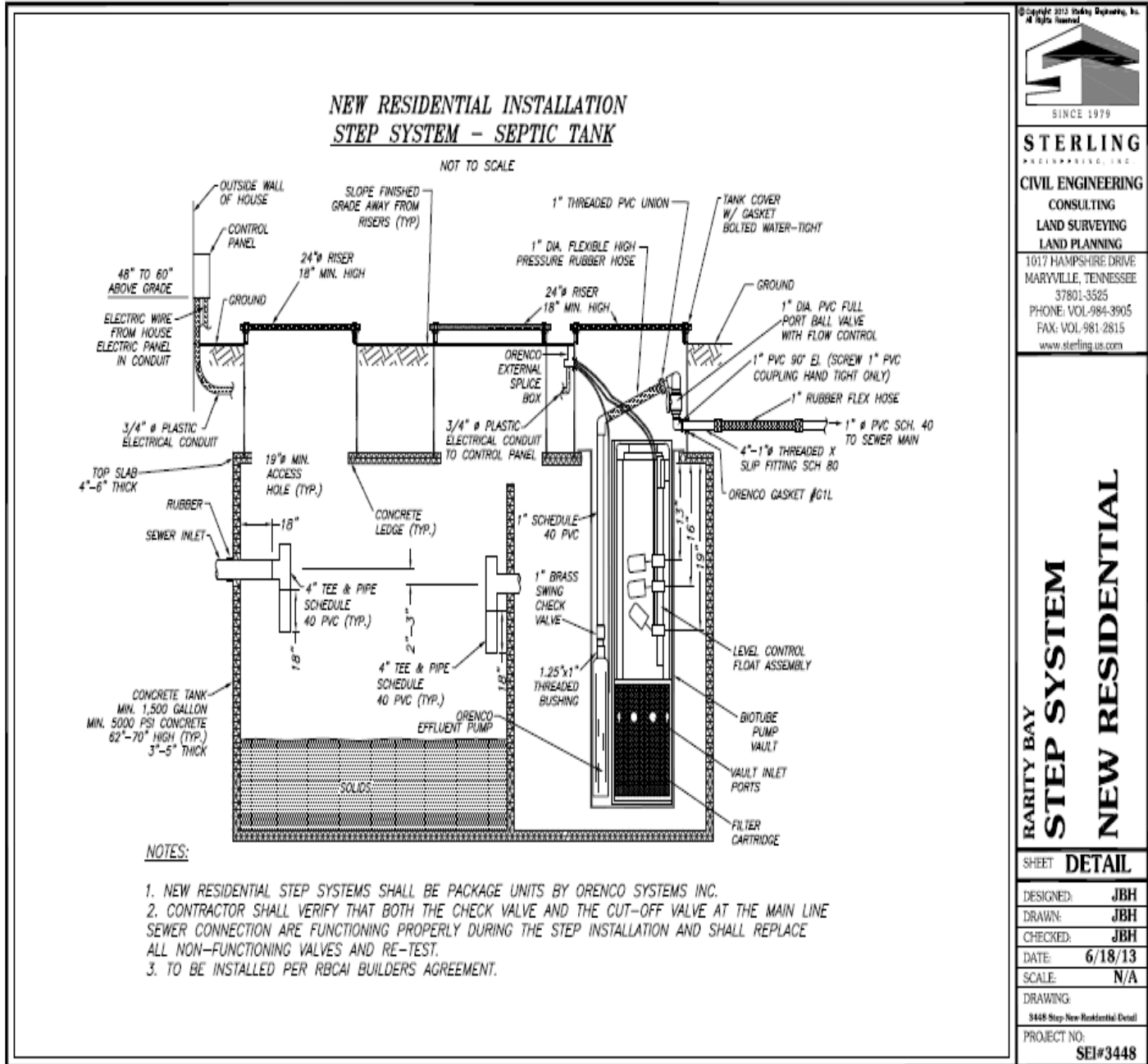
The wiring between the Control Panel and the External Splice box will be continuous and #12 AWG stranded copper wire. The wire colors will be **Red** (terminal #1, off float, bottom float), **Blue** (terminal #2, on float, middle float), **Yellow** (terminal #3, Alarm float, top float), **Orange** (terminal # 4, common float wire), **Black** (120 volt line 1 for pump), **White** ( other 120 volt line 2 for 240 volt pump) and **Green** ( Ground). Color tape may be used if installed properly. Waterproof wire nuts are to be used in the External Splice box and may only be used one time. If a connection is taken apart a new waterproof wire nut must be used. The extra cord length must be coiled and hung from the hanger included with the External Splice box. All conduits shall be sealed on both ends with either an expandable foam sealant, conduit putty or a UL approved silicone to prevent corrosive gases from entering the control panel.

The discharge line from the tank to the street shall be a 1 inch schedule 40 PVC line buried at a minimum of 18 inches deep. There shall be a #12 AWG solid green tracer wire buried with it. The green tracer wire will wrap around the pump side riser at the tank and terminate in the main valve box. The approved 1 inch Orenco red flex hose discharge kit will be used as the discharge line leaves the riser with the Orenco gasket sealing the schedule 80, 1 inch discharge pipe on the riser. The schedule 80, 1 inch discharge pipe will leave the riser 90 degrees to the 24 inch riser pipe.

**Exceptions to this must be in writing and approved by the RBCAI Board.**

<b>D1.3 SEWER INSTALLATION INSPECTION REPORT</b>					
<b>Owner:</b>			<b>Phone:</b>		
Property Address:					
Property Unit/Lot #:					
Builder:					
A = Acceptable      NA = Not Acceptable			A	NA	COMMENTS
<b>INSPECTION 1</b>					Date
1	Determine Tank location and depth with builder. (Inspection must be completed before excavation for footers but after the preliminary stacking of the house footing and sewer tank location by the surveyor)				
<b>INSPECTION 2</b>					Date
2	Approve tank opening and 6" gravel bed				
3	Tank hole is no more than 40 feet from home.				
4	Tank hole is no more than 1 foot wider than the tank				
5	Top of the tank will be no more than 3 feet deep				
6	6" of stone bedding for tank				
<b>INSPECTION 3</b>					
7	Tank has 3 - 24" fiberglass access lids				
8	Tank has a 4" rubber boot for inlet penetration with approved clamp				
9	A <b>two way</b> 4 inch clean out T is to be installed between the home and tank				
10	4 inch T's are properly installed inside the tank				
11	24 hour Tank leak test				Date      Date:
<b>INSPECTION 4, Riser Leak test - 24 hr test</b>					
12	Back filled with all 3 lids in place and sealed 2 inches above riser ring sealant. 24 hour test				Date      Date:
13	Tracer wire laid with discharge line to main (buried 18 inches deep)				
14	Fiberglass lids properly installed				
15	Pump installed correctly - confirm brand				
16	Control panel on exterior wall in site and no more than 50 feet from pump riser.				
17	Float system installed correctly				
18	Shut-off valve and union installed, red high pressure rubber used as flex				
19	Brass check valve at pump				
20	Seal for 1" discharge pipe entering riser				
21	1 inch PVC ball valve and Hayward (TC10100STE) Sch. 80 check valve in accessible valve box at street. Teflon tape on check valve tape.				
22	3/4 inch sealed plastic conduit between the external junction box and control panel. Joints glued and conduit sealed in junction box and control panel				
23	Dedicated breakers for sewer system at main panel box and properly marked				
24	Securely mounted control panel, 48 to 60 inches above finished grade (with 2' spacing to stand in front)				
25	Riser measurement 18 to 36 inches. The final grade over the tank is at least 4 inches above the surrounding grade and the riser is 4 inches above the grade.				
26	Approved Plumber, Electrician and/or Installer to sign Inspection Report				
<b>Inspected by:</b>			<b>Date of Final Approval:</b>		
Ryan Stamey, Operations Director, RBCAI					
I, _____ certify that the Orenco ProStep Effluent Pump System is installed according to Rarity Bay CAI specifications using only authorized Orenco specified parts and equipment.					
<b>Builder (print)</b>			<b>Date of Certification:</b>		
<b>Accepted by:</b>			<b>Date of Acceptance:</b>		
Plumber Properly trained on Orenco system authorized by the CAI					
<b>Accepted by:</b>			<b>Date of Acceptance:</b>		
Electrician Properly trained on Orenco system authorized by the CAI					
<b>Exceptions approved by Rarity Bay CAI Board Directors</b>					

**D1.4 New Residential Installation STEP System – Septic Tank**



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FAX: VOL-981-2815  
www.sterling.us.com

**RARITY BAY  
STEP SYSTEM  
NEW RESIDENTIAL**

SHEET **DETAIL**

DESIGNED: **JBH**

DRAWN: **JBH**

CHECKED: **JBH**

DATE: **6/18/13**

SCALE: **N/A**

DRAWING:  
8448 Step New Residential Detail

PROJECT NO:  
**SEI#3448**

**APPENDIX E: APPROVED TREE LIST**

<b>SMALL TREES – SIZE RANGE LESS THAN 30’ TALL</b>		
<b>BOTANICAL NAME</b>	<b>COMMON NAME</b>	<b>NOTES</b>
Acer Ginnala	Amur Maple	Deciduous, dense crown, scarlet fall color, use in outdoor living areas
Acer Palmatum	Japanese Maple	Deciduous, many cultivars available, some very small, some with red leaves, use in special areas
Aesculus Glabra	Ohio Buckeye	Deciduous, good orange fall color, native
Amelanehier Canadensis	Shadblow Serviceberry	Deciduous, attractive white flowers in April, native
Asimina Triloba	Paw Paw	Deciduous, suited to deep soils, yellow fall color, edible fruits, native
Betula Pendula	European Birch/White Birch	Deciduous, short-lived in Tennessee, a spectacular tree
Carpinus Caroliniana	American Hornbeam [Ironwood]	Deciduous, extremely tough wood, excellent, difficult to transplant, native
Cercidiphyllum Japonicum	Katsura Tree	Deciduous, small leaves, slow growing, may be medium-sized, clean
Cercis Canadensis	Eastern Redbud	Deciduous, magenta flowers in April, short-lived, native
Cercis Canadensis Alba	Whitebud	Deciduous, white flowers in April like the Redbud except for flower color
Chionanthus Retusus	Chinese Fringetree	Deciduous, excellent white flowers in May, attractive foliage, clean
Chionanthus Virginicus	White Fringetree	Deciduous, excellent white flowers in May, native

**APPENDIX E: APPROVED TREE LIST**

<b>SMALL TREES – SIZE RANGE LESS THAN 30’ TALL</b>		
<b>BOTANICAL NAME</b>	<b>COMMON NAME</b>	<b>NOTES</b>
Cornus Florida	Flowering Dogwood	Deciduous, excellent for white flowers in April and red berries in autumn, native
Cornus Florida Rubra	Red Flowering Dogwood	Deciduous, pink or reddish flowers in April
Cornus Florida Cultivars		Other flowering dogwoods include Springtime, Cloud Nine, Cherokee, Princess, Cherokee Chief
Cotinus Coggygria	Smoke Tree	Deciduous, interesting smoke-like fruiting panicles. Native species Americanus may also be used
Crataegus Sp.	Hawthorn	Deciduous, many species available, best may be Phaenopyrum, Washington Hawthorn
Halesia Carolina	Carolina Silverbell	Deciduous, white flowers in late April, yellow color, native
Hex Decidua	Possum Haw	Deciduous, attractive red berries on female trees, may be grown as large shrub, native
Illex Vomitoria	Yaupon	Evergreen, attractive red berries on female trees, native
Koelreuteria Paniculata	Golden-Raintree	Deciduous, suited to city conditions, yellow flowers in June
Magnolia Soulangeana	Saucer Magnolia	Deciduous, pink to purple flowers in April, flowers often killed by frost, shrubby in form

**APPENDIX E: APPROVED TREE LIST**

<b>SMALL TREES – SIZE RANGE LESS THAN 30’ TALL</b>		
<b>BOTANICAL NAME</b>	<b>COMMON NAME</b>	<b>NOTES</b>
Malus Sp.	Selections of Crabapples	Deciduous, 30 or more cultivars available, may flower colors, fruit size and tree size
Prunus Cersifera Atropurpurea	Pissard Plum	Deciduous, short lived, attractive red foliage in summer, subject to disease
Prunus Persica cv.	Flowering Cultivars of Peach	Deciduous, many interesting cultivars but most short-lived, valued for flowers in April
Prunus Serrulata cv.	Cultivars of Oriental Cherry	Deciduous, many interesting cultivars, fairly short-lived but spectacular in flower
Rhamnum Caroliniana	Carolina Buckhorn	Deciduous, lustrous foliage, black fruit, native
Styrax Japonica	Japanese Snowbell	Deciduous, white flowers in May, fine textured foliage
Viburnum Prunitollum	Blackhaw	Deciduous, white flowers in May, blue-black berries in fall, good fall color, native

**APPENDIX E: APPROVED TREE LIST**

<b>MEDIUM TREES – SIZE RANGE 30’ – 60’ TALL</b>		
<b>BOTANICAL NAME</b>	<b>COMMON NAME</b>	<b>NOTES</b>
Abies Concolor	White Fir	Evergreen, suited to cooler locations, use as specimen tree
Abies Fraseri	Fraser Fir	Evergreen, suited to cooler locations, use as a specimen tree
Aesculus Altissima	Horse-Chestnut	Deciduous, interesting fruits, better is the Baumann cultivar with double flowers and no fruit
Ailanthus Altissima	Tree of Heaven	Deciduous, adaptable to most soils, often planted in the cities, attractive fruit on female trees
Betula Nigra	River Birch	Deciduous, may grow large on good sites, interesting bark, native
Carpinus Betulus	European Hornbeam	Deciduous, can be sheared
Castanea Molissima	Chinese Chestnut	Deciduous, edible fruits with spiny husks, unpleasant smelling male flower
Catalpa Bignoniodes	Southern Catalpa	Deciduous, white flowers in June, long bean-like pods
Cedrus Atlantica	Atlas Cedar	Evergreen, may grow in north, slow growing, excellent specimen tree
Cedrus Atlantica Glauca	Blue Atlas Cedar	Evergreen, bluish foliage slow growing, excellent specimen tree
Cedrus Deodara	Deodar Cedar	Evergreen, may grow quite large on excellent sites, graceful, excellent specimen tree

**APPENDIX E: APPROVED TREE LIST**

<b>MEDIUM TREES – SIZE RANGE 30’ – 60’ TALL</b>		
<b>BOTANICAL NAME</b>	<b>COMMON NAME</b>	<b>NOTES</b>
Channaecyparis Obtusa	Hinoki False Cypress	Evergreen, scale-like leaves, slow growing, interesting form, may be considered as small tree
Chamaecyparis Pisifera	Sawara False Cypress	Evergreen, plumose cultivar preferred, bluish foliage, slow growing
Cladrastis Lutea	Yellow-Wood	Deciduous, white flowers in May, excellent clean tree for outdoor living area, native
Cryptomeria Japonica	Cryptomeria	Evergreen, needle foliage, may grow large in time
Cunninghamia Lanceolata	China Fir	Evergreen, glossy needle foliage, may grow large in time, blue foliage cultivar available
Diospyros Virginiana	Persimmon	Deciduous, native, not often planted but may be used where found, edible fruit on female trees
Firmiana Simplex	Chinese Parasol Tree	Deciduous, interesting seed pods, coarse texture, greenish trunk, smooth bark
Halesia Monticola	Mountain Silverbell	Deciduous, white flowers in late April, yellow fall color, native
Ilex Opaca	American Holly	Evergreen, attractive red berries on female trees, many cultivars available, native
Juniperus Virginiana	Eastern Red-Cedar	Evergreen, may grow large with time, best to transplant as small tree, many cultivars available, native
Kalopanax Rictus	Kalopanax	Deciduous, round crown, seed liked by birds, maple like leaves



**APPENDIX E: APPROVED TREE LIST**

<b>MEDIUM TREES – SIZE RANGE 30’ – 60’ TALL</b>		
<b>BOTANICAL NAME</b>	<b>COMMON NAME</b>	<b>NOTES</b>
Maclura Pomifera	Osage-Orange	Deciduous, softball sized fruit on female trees, very strong, good yellow fall color, interesting branching
Magnolia Virginiana	Sweet Bay	Evergreen, small white flowers in April, leaves green above and white beneath
Morus Alba	White Mulberry	Deciduous, edible fruit on female trees, interesting from and branching, fruits can be a problem
Ostrya Virginiana	Hop Hornbeam	Deciduous, slow growing, strong, interesting seed pods, difficult to transplant, native
Oxydendrum Arboretum	Sourwood	Deciduous, white flowers in late June, excellent fall color, interesting form, difficult to transplant, native
Paulownia Tomentosa	Empress Tree	Deciduous, purple flowers in late April, large seed pods, coarse textured, adapted to many soils.
Phellodendron Amurense	Amur Cork Tree	Deciduous, large branches of picturesque habit, interesting in winter
Picia Pungent Glauca	Blue Colorado Spruce	Evergreen, small or medium tree in Tennessee, excellent blue foliage on some forms, prefers good soils
Pyrus Calleryana Bradford	Bradford Pear	Deciduous, white flowers in late March, excellent fall color, no particular pests
Quercus Acutissima	Sawtooth Oak	Deciduous, lustrous leaves, wide spreading
Sassafras Albidum	Sassafras	Deciduous, difficult to transplant, strong wood, may be short-lived, native

**APPENDIX E: APPROVED TREE LIST**

<b>MEDIUM TREES – SIZE RANGE 30’ – 60’ TALL</b>		
<b>BOTANICAL NAME</b>	<b>COMMON NAME</b>	<b>NOTES</b>
Sophora Japonica	Japanese Pagoda Tree	Deciduous, white flowers in July, line texture, greenish bark
Sorbus Aucuparia	European Mountain Ash	Deciduous, white flowers in May, red berries in fall, may be short-lived
Thuja Occidentals	American Arbor-Vitae	Evergreen leaves scale-like, upright form, native in a few places in Tennessee
Tilia Cordata	Little-Leaf Linden	Deciduous, small leaves, slow growing, dense pyramidal form
Tsuge Caroliniana	Carolina Hemlock	Evergreen, fine textured, may be sheared, needs well-drained soil, native
Ullmus Parvitolia	Chinese Elm	Deciduous, round top, interesting bark, flowers produced in fall
Ullmus Carpinifolia	Smooth-Leaved Elm	Deciduous, many cultivars available, Christine Busman cultivar resist disease
Zelkova Serrata	Japanese Zelkova	Deciduous, marketed as replacement for American Elm, similar to elm in form

## **APPENDIX F: DESIGN GUIDELINES IMAGERY SUPPLEMENT**

Due to size constraints, the Imagery Supplement is a separate file titled “Design Guidelines Imagery Supplement” in this same web directory.