



**ARCHITECTURAL AND ENVIRONMENTAL
RESIDENTIAL CONTROL STANDARDS
OF
BIG CANOE**

Adopted by the Big Canoe POA Board of Directors

January 1, 2026

DIVISION 5: GENERAL STANDARDS

Article 5: Administration

Sec. 5.5. Miscellaneous Provisions.

5.5.5. The divisions, articles and sections of these standards as adopted on January 1, 2026 are numbered in multiples of fives (5s) in order to allow for new divisions, articles, and sections to be added over time without the need for renumbering. All numbers in between such division, article, and section numbers are deemed "reserved" for future use.

5.5.10. The term “property owners” shall be deemed to include all owners of record, including a singular owner.

5.5.15. The term “contractors” and “subcontractors” shall be deemed to include all contractors and subcontractors, including a singular contractor or subcontractor.

5.5.20. The term “shall” is mandatory, and not merely directory.

5.5.25. The term “may” is permissive.

5.5.30. The term “days” shall mean business days, excluding federal holidays, unless otherwise specified.

5.5.35. The term “Standards” shall mean the Big Canoe Property Owners Association Architectural and Environmental Standards.

5.5.40. Standards that are not specifically permitted in the provisions are prohibited.

Sec. 5.10. Definitions.

Accessory, Building or Structure means a building or structure that is ancillary, incidental and subordinate to a house.

Accessory, Decorative means any object placed outdoors that has no specific functional use but is intended for aesthetic pleasure.

Alternate Energy Devices means solar panels and associated components, solar collectors, solar tubes, solar skylights or other solar energy device, collectively referred to as devices or systems or equipment.

Appeal means a request for relief from a fine imposed or from a decision by AECD staff.

Breezeway means a porch or roofed passageway open on the sides that connects two (2) buildings or parts of a building.

Building means a roofed structure enclosed on all sides by walls and covered openings such as doors and windows, which is used or designed for the shelter or enclosure of persons, animals, or property.

Crossties, also referred to as railroad ties, means a transverse timber forming a foundation or support.

Development means any manmade change to an improved or unimproved lot.

Firewood means logs cut or split into maximum lengths of three (3) feet, and specifically excludes piles of limbs or brush, which are specifically prohibited.

Foundation means part of a structural system that supports and anchors the superstructure of a building and transmits its loads directly to the earth.

Grandfathered means an aspect of development that is non-conforming but allowed to remain for a specified period of time without coming into compliance with current standards.

Hot Tub means a large tub of aerated water used for recreation or physical therapy.

Lighting, directed shielding means shielding by design or external application that directs light downward and limits direct line of sight of a fixture's lamp.

Lighting, fully shielding means outdoor light fixtures shielded or constructed so that light rays emitted by the fixture are projected below the horizontal plane.

New Product means a construction material or a method of installation not contemplated by these standards.

Non-conforming means development on a lot that conformed with all Standards, including landscaping, architectural standards, and paint color, in effect at the time the development was

established, but as a result of the subsequent adoption or amendment of these Standards, the development fails to conform to the present requirements.

Outdoor fire devices shall mean devices or appliances such as fire pits, chimeneas, fire rings, or any other device whether fueled by wood, charcoal or bioethanol.

Retaining wall means a wall or structure that holds earth behind it so that it does not slide to a lower elevation.

Structure means anything constructed or erected which requires location on the ground or attached to something having location on the ground.

Swim Spa means a compact, versatile aquatic feature that combines the benefits of a swimming pool and a hot tub, all within a smaller space than a traditional pool.

Swimming Pool means a structure designed to contain large amounts of water suitable for swimming.

Utility Service Line means all utility lines including cable and gas.

Variance means a granting of relief from one or more standards where the strict application of the standard or standards would create a hardship.

Sec. 5.15. Acronyms.

AECC: Architectural and Environmental Control Committee

AECD: Architectural and Environmental Control Department

BC: Big Canoe

BOD: Board of Directors

POA: Big Canoe Property Owners Association

SD: Surety Deposit

Article 10: Architectural and Environmental Standards, Generally.

Sec. 10.5. The Purpose of these Standards is to assist a property owner in developing and improving their property within the restrictions and controls established by the Amended and Restated General Declaration of Covenants and Restrictions of Big Canoe Property Owner(s) Association and Big Canoe Company, dated March 26, 1988, as amended (hereinafter referred to as Covenants), and to ensure the Architectural and Environmental Residential Control Standards of Big Canoe (hereinafter referred to as Standards) are properly applied. These Standards for design, construction, and maintenance of property are in addition to and supplemental to the Covenants.

Sec. 10.10. Big Canoe is an architecturally and environmentally controlled community. The power for this control is vested in BCPOA BOD.

Sec. 10.15. The AECD, with BOD approval, may establish criteria and enforcement policies that are more restrictive than county, state, and/or federal requirements. However, applicable county, state or federal regulations that are more restrictive than these Standards shall take precedence over these Standards.

Sec. 10.20. A copy of these Standards is available electronically at www.bigcanoepoa.org.

Sec. 10.25. All property owners are responsible for providing their residential contractors and landscapers with a copy of these Standards.

Sec. 10.30. All property owners shall know of and abide by the environmental requirements of Big Canoe, and all applicable county, state, and federal guidelines, rules and regulations.

Article 15: Architectural and Environmental Control Department (AECD).

Sec. 15.5. The AECD is established under the authority of the BCPOA Bylaws and the BCPOA BOD, with a mission to protect and maintain the character and aesthetics of the community, as well as protect and preserve property values.

Sec. 15.10. The AECD is the BCPOA department charged with the following responsibilities:

- A. Review applications for design, construction, and maintenance. This authority derives from the BCPOA Bylaws and BCPOA BOD.
- B. AECD conveys acceptance or rejection of construction and landscape submission as well as ensures compliance during construction, including site inspections.
- C. Notwithstanding these site inspections, the Property Owner(s) is responsible for complete compliance of Covenants, Standards, and BCPOA Rules and Regulations.
- D. In addition to Standards applying to new construction, they also govern any exterior change or modification to present structures or landscape.
- E. AECD is responsible for violation notices and fines in accordance with BCPOA Rules and Regulations.
- F. AECD is responsible for the implementation and enforcement of these Standards, as well as other documents as assigned.

Article 20: Architectural and Environmental Control Committee (AECC).

Sec. 20.5. The purpose of the AECC is as follows:

Sec. 20.5.5. Consider requests for variances, appeals, and applications for new products.

Sec. 20.5.10. Serve as a resource to AECD Manager regarding questions or issues relating to the Standards, which may be reviewed and revised as needed, subject to approval by the BCPOA BOD.

Sec. 20.10. The AECC is established pursuant to the POA BOD.

Sec. 20.15. The AECC is composed of the following:

Sec. 20.15.5. Five (5) property owners who are in good standing with BCPOA and who have voice and vote.

A. Members serve terms of three years, staggered when possible.

B. Members may serve a maximum of two (2) consecutive terms. After a minimum of one (1) year absence from the AECC, the property owner is eligible to re-apply for membership.

C. From the five property owner members, one (1) person is recommended to the BCPOA BOD as chairperson for a one-year term, and one person is chosen as the recording secretary for a one-year term; both terms commencing on January 1. Officer terms may be consecutive.

D. Applicants for vacancies on the AECC shall complete form in Appendix A - AECC Membership Application and submit it to the AECD Manager who will deliver completed applications to the AECC. This form is the basis for evaluation for membership, although applicants will also have the opportunity to appear before the AECC. The top two names for each vacancy as voted on by the five voting members are forwarded to the BCPOA BOD for final appointment.

Sec. 20.15.10. AECD Manager or AECD Assistant Manager who has voice but no vote.

Sec. 20.15.15. A residential contractor who has voice but no vote.

A. Any active residential contractor in good standing is eligible to apply.

B. The position is a term of three years.

C. The applicant is subject to an AECC vote of recommendation and final approval by the BCPOA BOD.

D. The function of this position is to provide perspective and knowledge from the construction profession.

Sec. 20.15.20. A BOD liaison who has voice but no vote.

A. The position is appointed by the BCPOA BOD and is a member of the BOD.

B. The function of this position is to provide perspective from the BOD, and to communicate information between the BOD and the AECC.

Sec. 20.15.25. The General Manager and/or staff members who have voice but no vote.

Sec. 20.20. The AECC holds regularly scheduled meetings at 12:30 p.m., or at such time as designated by the Chairperson, on the first Tuesday of each month. Other meetings may be called by the AECD Manager or the AECC Chairperson, and these meetings are considered an executive session.

Article 25: Garages, Carports, Accessory Structures.

Sec. 25.5. Garages/carports.

Sec. 25.5.5. Carports are not authorized in all neighborhoods as shown in Appendix B - Neighborhood Guidelines.

Sec. 25.5.10. Garage doors visible from the road or exposed to community view shall remain closed when the garage is not in use.

Sec. 25.5.15. Garage doors shall be the same color as the siding or trim, or a natural wood colored paint or stain.

Sec. 25.5.20. Garages and carports shall be attached to the house or attached by a breezeway if either the garage or carport is more than one story.

Sec. 25.5.25. Breezeways shall not exceed twenty (20) feet in length, unless the topography requires a greater length, and prior AECD approval has specifically been given for the increased length.

Sec. 25.10. Accessory buildings and structures.

Sec. 25.10.5. Accessory buildings and structures shall be permitted only with AECD prior approval and shall be subject to the following conditions, which are by way of illustration and not by limitation:

- A. They shall be permanent, not portable, and shall be erected on a permanent foundation.
- B. They shall be built of the same materials as the house and painted with the same color palette.
- C. They shall not over-crowd the lot.
- D. They shall be a single story unless connected to the house.

Sec. 25.15. Swimming pools, hot tubs, swim spas.

Sec. 25.15.5. Above-ground swimming pools are prohibited.

Sec. 25.15.10. Swimming pools shall be located a minimum of twenty-five (25) feet from any property line as measured from the edge of the pool.

Sec. 25.15.15. Fencing that surrounds a swimming pool as required by state law shall be bronze or black in color, and shall be screened if visible from adjacent properties or roads.

Sec. 25.15.20. All equipment associated with a swimming pool shall be screened from view.

Sec. 25.15.25. Hot tubs and swim spas are permitted only as part of the footprint of the house.

Sec. 25.15.30. All swimming pools, hot tubs and swim spas shall be approved by the AECD prior to construction or installation.

Article 30: Exterior Improvements

Sec. 30.5. Utility hookups, generally.

Sec. 30.5.5. Utility deposits, fees, and service are the sole responsibility of the property owner.

Sec. 30.5.10. Exposed utility service lines are prohibited.

Sec. 30.5.15. All materials and installation shall conform to applicable codes and shall be inspected by the appropriate inspectors.

Sec. 30.5.20. Residential contractors or property owners are responsible for installing pipes or conduits from the appropriate pedestal to the house and all DROPS shall be installed according to the standards of the utility company.

- A. The property owner or residential contractor shall call AECD for a location inspection to determine where the trench will be dug.
- B. Only two (2) sweep turns are allowed in the conduit.
- C. The trench shall be a minimum of twenty-four (24) inches deep and the conduit to be installed shall be three (3)-inch diameter, schedule forty (40) electrical conduit.

Sec. 30.5.25. All excavation for site utility hookups shall be restored to its natural condition.

Sec. 30.10. HVAC, generator equipment, LP tanks, pool equipment.

Sec. 30.10.5. Units shall be ground mounted and meet all applicable codes.

Sec. 30.10.10. Units visible from the road or exposed to community view shall be screened by approved fencing, or with approved planting having a spacing and height to completely screen the unit from view.

Sec. 30.10.15. All liquid propane (LP) tanks and installation shall follow all regulations established by the National Fire Protection Association.

- A. LP tanks installed in the front of a house shall be installed underground. For purposes of this standard, the front of a house shall be that portion of the lot between the house and any adjacent road.
- B. LP tanks installed in the side or rear of a house or property shall be a minimum of ten (10) feet from any property line, and shall be completely screened from view with material or planting that is continuously maintained.
- C. Property owners shall provide the location of the LP tank to Big Canoe Public Safety (706-268-3376).

Sec. 30.15. Foundation walls.

Sec. 30.15.5. Foundation wall shall be one of the following three materials and finishes:

- A. Poured concrete with a stucco finish painted the approved siding color.

- A. Concrete block with a stucco finish painted the approved siding color.
- B. Poured concrete or block with a stone or brick veneer as specified by particular Neighborhood Standards.

Sec. 30.20. Retaining walls.

Sec. 30.20.5. The material and color shall be limited to the following:

- A. Concrete or concrete block with a stucco finish painted “Cabot’s Spanish Moss” or other color approved by the AECD prior to painting.
- B. Concrete block with stone or brick veneer, as specified in the Neighborhood Standards.
- C. Pressure treated six by six (6x6) -inch or eight by eight (8x8) -inch landscape timbers stained or painted “Cabot’s Spanish Moss” or other color approved by the AECD prior to painting. "Natural or unfinished" walls where previously approved, will be allowed to age naturally to blend in with the natural environment.
- D. Interlocking block in an approved color.
- E. Welded wire blocks.
- F. Natural stone.

Sec. 30.20.10. Cross ties, also referred to as railroad ties, are prohibited.

Sec. 30.25. Driveway markers, entry features.

Sec. 30.25.5. Reflectors may be used at a driveway entrance. There shall be a maximum of one (1) reflector on each side of the driveway entrance, and red is the only permitted color.

Sec. 30.25.10. Columns or pillars installed as entry features on the sides of a driveway shall have a maximum height restriction of three (3) feet.

Sec. 30.30. Siding.

Sec. 30.30.5. Exterior siding material, except as specified in Appendix B – Neighborhood Guidelines, shall be one of the following materials:

- A. Cedar shakes or shingles.
- B. Stone or cement fiber shakes or shingles.
- C. Horizontal or vertical wood.
- D. Board and batten plywood, or equal material.
- E. Logs or log siding.
- F. Stone.

G. Stone or cement fiber siding, or equal material, which may be either a smooth or wood texture.

Sec. 30.30.10. Chinking on log cabin style construction shall be a color approved by the AECD prior to construction.

Sec. 30.35. Stonework.

Sec. 30.35.5. Unless otherwise approved in Appendix B - Neighborhood Guidelines, stonework shall be one of the following materials:

A. Fieldstone.

B. River rock.

Sec. 30.35.10. Stonework shall be installed with gray or tan mortar that closely matches the stone.

Sec. 30.35.15. Stone chimneys may be a manufactured material that matches an approved fieldstone.

Sec. 30.40. Colors and paint.

Sec. 30.40.5. Refer to Appendix C – Big Canoe Approved Exterior Colors, which specifies approved colors for each neighborhood.

Sec. 30.40.10. All proposed exterior colors/color combinations shall be approved by the AECD prior to application.

Sec. 30.40.15. Exterior color approval is based not only on the color itself, but also on the design, location and visibility.

Sec. 30.40.20. Samples of all stain and paint shall be applied on six (6) -inch by six (6) -inch sample of materials to be used and provided to the AECD for approval.

Sec. 30.40.25. All siding paint and trim paint shall be either a flat or satin finish.

Sec. 30.40.30. Cornice and fascia boards shall match the siding or trim color.

Sec. 30.40.35. Front porch columns and adjoining beams shall be painted either to match the siding or trim color, or be stained with an approved stain color.

Sec. 30.40.40. Deck posts and supporting columns shall match the siding or trim color.

Sec. 30.40.45. Deck floors shall match the siding or trim color, or stained an approved stain color.

Sec. 30.40.50. Top hand rails shall match the siding, trim, or approved deck product color.

Sec. 30.40.55. Porch ceilings shall match the siding, the trim, or be an approved stain color.

Sec. 30.45. Roofing material.

Sec. 30.45.5. Roofing material whether primary or secondary, shall be limited to the following:

A. Hand split wood shakes.

B. Wood shingles.

C. Brava Synthetic Cedar Shakes in Natural color.

D. Asphalt fiberglass architectural shingles in Weathered Wood color, which shall be limited to the following:

1. GAF.
2. Georgia-Pacific.
3. Tamko.
4. IKO.
5. Celotex.
6. Owens Corning in Driftwood color.
7. Atlas.
8. Certainteed.

E. Metal is approved for primary and secondary roof volumes, limited to prefinished metal in bronze anodized or charcoal color.

F. Standing seam metal roofs shall have no exposed fasteners and shall be limited to limited to bronze anodized or charcoal color.

Sec. 30.45.10. Three (3)-tab style roofing is prohibited.

Sec. 30.45.15. All flashing shall be the color of a metal roof.

Sec. 30.50. Windows, doors.

Sec. 30.50.5. Windows and doors, including stained glass, shall be approved by the AECD and be compliant with applicable Neighborhood Guidelines.

Sec. 30.50.10. Materials for exterior doors and windows shall be limited to the following:

A. Wood.

B. Paintable metal.

C. Fiberglass.

D. Vinyl clad.

E. Metal clad.

Sec. 30.50.15. Windows may be bronze anodized or black.

Sec. 30.50.20. Screens shall be only dark bronze anodized or charcoal color.

Sec. 30.50.25. Window and door trim shall be a minimum width of three and one-half inches.

Sec. 30.55. Deck posts, handrails, and pickets.

Sec. 30.55.5. Deck posts, handrails, and pickets for all installations, including decks, porches, and retaining walls, shall meet applicable state codes and shall be approved by the AECD prior to installation.

Sec. 30.55.10. Posts, railings, and pickets, both horizontal and vertical, that are visible in the same plane shall match in design, material, and color.

Sec. 30.55.15. All posts and railings shall match the siding or the trim color of the house, or be bronze or black metal.

Sec. 30.55.20. On the rear and sides of a house, stainless steel cables or black mesh panels may also be used. The frame work, however, shall match the siding or trim color, except as identified Appendix B – Neighborhood Guidelines.

Sec. 30.55.25. For rear or side installations, glass panels may be installed, subject to prior approval by the AECD.

Sec. 30.60. Gutters, gutter guards, downspouts, radon mitigation pipes.

Sec. 30.60.5. Gutters, downspouts, and radon mitigation pipes shall match either the siding or the trim color, or be prefinished bronze metal.

Sec. 30.60.10. Chain style downspouts (“rain chains”) are permitted.

Sec. 30.60.15. All gutters, gutter guards, downspouts and radon mitigation pipes shall be maintained in good order, including but not limited to painting, repair, and replacement.

Sec. 30.65. Exterior lighting.

Sec. 30.65.5. All exterior lighting shall be approved by the AECD prior to installation, and demonstrate restraint and concern for neighboring properties and minimize impact on flora and fauna.

Sec. 30.65.10. Lighting of adjacent or common property shall be prohibited.

Sec. 30.65.15. Entry, garage, carport, deck and terrace areas may be illuminated, subject to the following conditions:

- A. Lighting shall be fully shielded or feature directed shielding, except for carriage style fixtures, which are exempt from this shielding requirement.
- B. Fixtures shall be lit by bulbs not greater than 525 lumens each, or as recommended by the Illuminating Engineering Society of North America (IESNA) and the International Dark-Sky Association (IDA). In the event of a conflict between the recommendation by IESNA and IDA, the more restrictive recommendation shall apply.
- C. Post lighting fixtures shall be a maximum of 250 lumens each.
- D. All outdoor lighting shall have a color temperature between 2100 and 3100 Kelvins.
- E. All outdoor lighting shall have matching lighting color.

- F. Exterior lighting shall not be left on overnight. Approved driveway, stairstep, and pathway lighting is exempt from this requirement.

Sec. 30.65.20. The following exterior light shall be prohibited:

- A. Colored bulbs, including yellow “bug lights”.
- B. Up-Lighting.
- C. Moon-Lighting.
- D. String lights, subject to the provisions contained herein for outdoor lighting permitted for the winter holiday season.

Sec. 30.65.25. Driveway, pathway, and landscape light fixtures shall be spaced a minimum of ten (10) feet, and shall be brown, antique brass, or black aluminum.

Sec. 30.65.30. Driveway, pathway, and landscape light fixtures shall be of the same style.

Sec. 30.65.35. Stairstep lighting may be spaced as necessary to illuminate the stairs, and shall be the same color and style as the driveway, pathway, and landscape fixtures.

Sec. 30.65.40. Classic residential “corner floodlights” may exceed the lumen maximums stated herein and shall be illuminated for a maximum of fifteen (15) minutes unless illuminated for an emergency situation, in which case the lights shall be extinguished upon cessation of the emergency condition.

Sec. 30.65.45. Corner floodlights fitted with motion detectors shall be placed so that they are not activated by passing vehicles on adjacent roads.

Sec. 30.65.50. The POA may evaluate unduly bright lights that create a nuisance to adjacent owners or based upon lighting complaints received. In such case, safety considerations will be balanced against aesthetic/nuisance considerations in applying these standards.

Sec. 30.70. Satellite dishes.

Sec. 30.70.5. Satellite dishes shall not exceed forty (40) inches in diameter.

Sec. 30.70.10. All equipment shall be flat gray or black and positioned with as low a visibility as is practicable.

Sec. 30.70.15. All equipment shall be maintained in good condition.

Sec. 30.70.20. All wiring shall be painted the same color as adjacent siding or trim to minimize appearance.

Sec. 30.75. Alternative energy devices.

Sec. 30.75.5. All proposed alternate energy devices shall be shown on a plan that specifies installation, placement, and materials, and approved in writing by the AECD prior to installation.

Sec. 30.75.10. The AECD shall reject any collector of size, shape, or color that is unacceptably designed or located.

Sec. 30.75.15. Solar panels and solar collectors shall be aesthetically integrated in the design, including relating to the architectural mass to which they are attached, when exposed to view or they must be screened from view.

Sec. 30.75.20. Solar panels and solar collectors shall be racked at the same pitch as the roof and designed to be as unobtrusive as possible.

Sec. 30.75.25. Only commercially or professionally made alternate energy devices shall be permitted.

Article 35: Decorative accessories, holiday decorations, misc. outdoor items.

Sec. 35.5. Purpose.

To maintain the mountain aesthetic of Big Canoe, outdoor decorative accessories, holiday decorations, and miscellaneous outdoor items are restricted. The AECD Standards protect the type, material, color, quantity, and maintenance of these items. Decorative accessories and trimmings (including holiday and seasonal decorations) are intended for the enjoyment of the property owner, and shall be positioned so as not to offend the community or the immediate neighbors. Outdoor decorative accessories, holiday decorations, and miscellaneous outdoor items shall comply with the following sections of this article.

Decorative Accessories

Sec. 35.10. Number of items.

No more than five (5) decorative accessories in a plane shall be visible from the roads, lakes or golf courses. This limitation does not apply to hanging baskets and flower boxes affixed to the house. The U.S. flag is also exempt from this limitation. This limitation includes, however, any decorative accessory on a sign post exclusive of hanging shingles (as described under “signs” in this article).

Sec. 35.15. Bird feeders, bird baths, bird and butterfly houses, fountains, ponds.

Sec. 35.15.5. Bird feeders, bird houses, and butterfly houses shall be metal or natural wood or painted with an approved color or stain.

Sec. 35.15.10. Bird feeders shall only be used during the winter months to avoid attracting bears, and shall be removed from March 1 through November 30.

Sec. 35.15.15. Bird baths shall blend into the surrounding area, and shall be a maximum of 36 inches in height.

Sec. 35.15.20. Proposed fountains and ponds shall be approved by the AECD for color, style, size, and location, prior to installation.

Sec. 35.20. Flags.

Sec. 35.25.5. The only flag allowed to be continuously displayed is the United States flag, with a maximum size of four (4) feet by six (6) feet.

Sec. 35.25.10. In addition to the United States flag, one United States military service flag, one seasonal banner, or one college flag/pennant is permitted, with a maximum size of three (3) feet by five (5) feet.

Sec. 35.25.15. Free standing flag poles are prohibited.

Sec. 35.20.20. Flags or banners shall not be displayed on address posts or trees.

Sec. 35.25. Flower pots, planters.

Sec. 35.25.5. Flower pots shall be the approved siding or trim color, or gray, brown, terra cotta, black, dark green, or natural wood or stone.

Sec. 35.25.10. Flower pots in the same plane should be stylistically similar.

Sec. 35.25.15. Planter boxes affixed to the house shall be a natural fiber or shall match in color to the background color to which they are affixed.

Sec. 35.25.20. Flower pots or planters containing dead plants shall be removed, or the dead plants replaced.

Sec. 35.30. Statues, sculptures.

Sec. 35.30.5. All statues and sculptures shall be in harmony with the Big Canoe community and aesthetic.

Sec. 35.30.10. Statues and sculptures shall not exceed thirty-six (36) inches in height.

Holiday Decorations

Sec. 35.30. Time limitation for display.

Holiday decorations shall be limited to the winter holidays and, if displayed, shall be on display only from November 15 through January 10.

Sec. 35.35. Number of items.

During the time that holiday decorations may be displayed, an additional three (3) holiday decorations may be displayed. Property owners may choose to exchange decorative accessories for holiday decorations for a total of eight (8) holiday decorations, or may choose to display some combination of holiday decorations and decorative accessories, but in no event shall there be more than five (5) decorative accessories and no more than eight (8) total items.

Sec. 35.40. Material.

Holiday decorations shall consist of live natural materials or artificial materials with a natural appearance.

Sec. 35.45. Garlands.

Sec. 35.45.5. Holiday garlands with white lights shall be limited to display on the front entry door only.

Sec. 35.45.10. Swags or garlands without lights are permitted.

Sec. 35.50. Lighting.

Sec. 35.50.5. Outdoor lighting approved for the winter holiday season shall be limited to miniature clear/white bulbs with a maximum of 2700 Kelvins and displayed at the front door only.

Sec. 35.50.10. Flashing, flickering, or running lights are prohibited.

Sec. 35.50.15. Icicle-like and other mimetic shaped lights are prohibited.

Sec. 35.50.20. Except for holiday garlands with clear/white lights on the front entry door, all other lighting, including but not limited to lighting that delineates fences, handrails, decks, eaves, posts, columns, beams, windows, doors or driveway is prohibited.

Miscellaneous Outdoor Items

Sec. 35.55. Clotheslines.

Outdoor clotheslines are prohibited.

Sec. 35.60. Fences, dog runs.

Sec. 35.60.5. All proposed fencing shall blend into the natural environment and shall be submitted to the AECD for approval of style and material prior to installation.

Sec. 35.60.10. The delineation of the side or rear property line is prohibited.

Sec. 35.60.15. Fences or barriers across driveways are prohibited.

Sec. 35.60.20. The maximum square footage allowed for enclosed areas using split rail fencing for dog runs is eight hundred (800) square feet, with a maximum height of four (4) feet.

Sec. 35.60.25. Deer fencing may encompass a maximum of forty-five (45) percent of the lot, not including the foot print of the house or driveway. See Appendix D – Fencing and Deer Deterrent for additional standards.

Sec. 35.65. Fire devices.

Sec. 35.65.5. Other than cooking grills or smokers, outdoor fire devices are prohibited with the following exceptions:

- A. A device or appliance fueled by propane and designed to be used on the deck or patio is permitted.
- B. An outdoor fireplace approved by the AECD and constructed of brick or masonry materials or UL approved with a chimney cap and spark arrestor and full protective wire mesh screening to effectively eliminate the possibility of live sparks, ashes, cinders, or embers from escaping the permanent outdoor fireplace internal structure.
- C. Permanent outdoor fireplaces shall not be used whenever a burn ban is placed in effect the state or state or county governments, or by Big Canoe Public Safety.

Sec. 35.70. Outdoor furniture, tarps, covers.

Sec. 35.70.5. All outdoor furniture, if visible to the community or to adjacent properties, shall blend in with the natural environment and shall be gray, brown, black or dark green.

Sec. 35.70.10. Tarps and covers intended for firewood storage and other uses, including vehicle, grill, and hot tub covers, but excluding furniture covers, shall be dark green, brown, or black.

Sec. 35.70.15. Large tarps and covers for major home repairs, such as roof tarps, are exempt from these provisions, but limited to nine (9) months of use.

Sec. 35.75. Outdoor trash containers, enclosures.

Sec. 35.75.5. Outdoor trash containers shall meet the minimum construction standards contained in Appendix E - Residential Exterior Trash Can Enclosures.

Sec. 35.75.10. The location, color, and design of outdoor trash can enclosure structures shall be bear proof and shall be submitted for approval by the AECD prior to installation.

Sec. 35.80. Play equipment, toys, yard tools.

Sec. 35.80.5. Play equipment, including but not limited to swings and trampolines, shall blend with the natural environment.

Sec. 35.80.10. Play equipment shall be approved by the AECD for location, design, and color prior to installation.

Sec. 35.80.15. Toys, including but not limited to bicycles, tricycles and basketball goals, shall be stored so that they are not visible from the road or from adjacent property when not in active use.

Sec. 35.80.20. Yard tools shall be stored so that they are not visible from the road or from adjacent property when not in active use.

Sec. 35.85. Signs.

Sec. 35.85.5. Signs shall be prohibited, except for permanent address identification (PAI) signs and attached descriptive moniker signs, as provided for in this section.

Sec. 35.85.10. The PAI sign post shall be positioned at the main driveway. If the house is served by multiple driveways or curb cuts, the sign post shall be located at the entrance closest to the beginning of the assigned number structure.

Sec. 35.85.15. The PAI shall be vertical wood posts with a dimension of 4x4 inches or 6x6 inches with a horizontal cross arm that is two (2) inches by six (6) inches by nine (9) inches, unless otherwise specified by neighborhood standards.

Sec. 35.85.20. PAI signs shall be painted either Cabot Spanish Moss, or painted to match the house siding or trim color unless there is an approved neighborhood color requirement.

Sec. 35.85.25. PAI sign posts are required by both Dawson and Pickens Counties to display an E911 number, which is the house number or physical address, and feature the following specifications:

A. The E911 numbers shall be a reflective material three (3) inches to four (4) inches high and two (2) inches to three (3) inches wide.

B. The E911 numbers shall be arranged horizontally on the cross arm or sign face and visible from both directions of travel.

Sec. 35.85.30. PAI signs may also contain a descriptive moniker of the property owner's choosing such as "Williams" or "My Almost Forever Home", also referred to as a hanging shingle, subject to the following limitations:

A. The wording shall be in good taste and not offensive.

B. There shall be a maximum of two (2) hanging shingles.

C. The dimensions of the hanging shingles shall not exceed five and one-half (5.5) inches by sixteen (16) inches.

D. Hanging shingles shall be painted black, brown or to match the siding or trim of the house.

Sec. 35.85.35. Any object added to the PAI shall be subject to the following:

A. The object shall be considered decorative accessory and subject to the limitation on the number of decorative accessories.

B. The object shall not exceed six (6) inches by twelve (12) inches by four (4) inches.

Sec. 35.90. Water barrels, rain barrels

Sec. 35.90.5. Water barrels or rain barrels shall blend into the environment and be gray, brown, black, dark green or the house siding color.

Sec. 35.90.10. Water barrels or rain barrels shall be limited to a total number of two (2) and shall not be visible from the road.

Article 40: Property Maintenance

Sec. 40.5. Purpose.

The purpose of these property maintenance standards is to protect the character and aesthetic of the community and to preserve and enhance property values. Therefore, a property owner shall keep and maintain all portions of the lot and the exterior of all structures located on the lot in a neat, attractive, and safe condition consistent with these Standards and Rules or Regulations and Covenants and Restrictions.

Sec. 40.10. Requirements.

- A. All developed properties shall be maintained free from deterioration, damage, or rot.
- B. The exterior surfaces of homes shall be properly maintained and repaired, replaced, and/or repainted or restained as necessary with approved colors.
- C. Exterior surfaces that contain mildew, fade or rust shall be cleaned and repainted or re-stained as necessary.
- D. Roofs, gutters, and driveways shall be kept clean of debris.
- E. Any maintenance that involves an exterior change, including repainting, shall require prior approval of AECD.
- F. All property, whether developed or undeveloped, shall be kept free of trash and debris.
- G. Maintenance for culverts located under the driveway is the responsibility of the property owners. Culverts shall remain free of debris so that stormwater flow is not impeded.
- H. Driveways shall be kept in good condition with no evidence of flaking or fading. Asphalt driveways shall be resealed and concrete driveways treated as necessary to maintain the black color.
- I. Asphalt and concrete driveway color will be considered allowable if it falls within the Nix Color Sensor photometer range of 3.0-13.0 as measured by the AECD.
- J. Stacked wood shall be limited to no more than three cords with dimensions of four (4) feet by four (4) feet by eight (8) feet and placed no closer than thirty (30) feet from the road. Additional cords of wood with the same dimensions may be placed no closer than seventy-five (75) feet from the road and shall be neatly stacked.

Sec. 40.15. Additional requirements.

Sec. 40.15.5. Each Neighborhood Association may have individual design guidelines for exterior repair and improvements, which are modified from time to time. See individual neighborhood by-laws for specific details and unique neighborhood guidelines.

Sec. 40.15.10. Modifications shall be approved by the Association's Board and then by AECC, then BCPOA BOD.

Sec. 40.15.15. All exterior alterations, including repairs and replacements, shall be approved by the Neighborhood Association Board prior to undergoing the required AECD review.

Sec. 40.20. Enforcement.

Sec. 40.20.5. Properties are inspected for compliance with these Standards.

Sec. 40.20.10. BCPOA staff may enter properties for purposes of such inspections. During some AECD inspections, properties may be photographed for possible non-compliance with these Standards.

Sec. 40.20.15. The AECD will provide written notification of a violation to the property owners via U.S. Mail and e-mail, if an e-mail address is available.

Sec. 40.20.20. The AECD has the authority to impose monetary or other sanctions for violations of these Standards.

Sec. 40.20.25. Property owners shall complete the maintenance or repair according to the timeline established by the AECD. If BCPOA BOD or designee determines the completion of the maintenance or repair is not possible within such time period, property owners shall commence replacement or repair within forty-five (45) days.

Sec. 40.20.30. If the BCPOA BOD or its designee determines that an emergency exists or that the property owners have not complied with the demand given by BCPOA BOD, as herein provided, the BCPOA may provide such maintenance, repair, or replacement at the sole cost and expense of the property owners, and such costs may be an assessment and lien against property owners and the lot.

Sec. 40.20.35. All Common Areas are maintained by BCPOA.

Article 45: Nonconformities and Grandfathering

Sec. 45.5. Definition, purpose, intent.

The purpose and intent of this article is to limit the development and continued existence of structures or attributes of structures, such as color and landscaping, that were established in conformance with these Standards, but made nonconforming by amendments to these Standards. A structure or its attributes is nonconforming if it fails to comply with all of the requirements of these Standards. Structures or their attributes that are found to be nonconforming shall be allowed to remain, or are grandfathered, subject to the following:

- A. Any structure or its attribute that requires only maintenance or repair shall be allowed to continue to exist.
- B. Any structure or its attribute that has fallen into a state of disrepair such that complete replacement is necessary shall come into conformance with these Standards.

Article 50: Variances, New Product, Appeals

Sec. 50.5. Variances, new product, and appeals, generally.

Appeals of a decision made or of a fine imposed by the AECD regarding the property owners' actions that did not comply with the BCPOA Rules and Regulations and/or Architectural Control Standards can be presented to AECC for review.

Sec. 50.10. Procedures for variances, new products, appeals.

Sec. 50.10.5. Property owners or residential contractors may apply for a variance by fully completing the application form contained in Appendix F – Cover Page, Requests for Appeals, Variances and New Product. Additional material, including photographs or other information to be considered by the AECC, shall be included with the completed application. Incomplete applications will be returned to the applicant, which may result in postponement of the AECC decision.

Sec. 50.10.10. Completed applications shall be submitted to the AECD no later than fourteen (14) days prior to the next regularly scheduled monthly AECC meeting. This time requirement may be waived in cases of extenuating circumstances as determined by the AECD.

Sec. 50.10.15. Members of the AECC may visit the property and may take photographs.

Sec. 50.10.20. The applicant or his designee may attend the AECC meeting at which the request will be heard and make a presentation a maximum of twenty (20) minutes in length.

Sec. 50.10.25. After the applicant's presentation, the AECC will discuss the request in an executive session, and the applicant will be informed within two business days of the AECC decision.

Sec. 50.15. Variances, additional requirements.

Sec. 50.15.5. The following criteria shall be met in order for the variance to be granted:

- A. There are special or unique conditions that exist that are peculiar to the applicant's case and which are not generally applicable to the similarly situated properties in Big Canoe; and,
- B. The special or unique conditions were not created by the property owner; and,
- C. The variance would not affect the rights of neighboring property owners, and is not contrary to the health, safety or welfare of the community; and,
- D. The variance request is consistent with the general intent and purpose of these Standards and other BCPOA documents.

Sec. 50.15.10. An applicant shall submit a written narrative with the variance application that addresses these criteria. Economic hardship is not a consideration for the granting of a variance.

Sec. 50-20. Appeals, additional requirements.

Sec. 50.20.5. Should an appeal result in the reduction of a fine, this fine is considered a settlement. If the property owner or his designee chooses to appeal to the POA BOD, the fine shall revert to its original amount.

Sec. 50.20.10. Variances/Appeals will not be granted if the request does not comply with Covenants, codes, ordinances, rules or regulations of any Big Canoe, county, state or national governing authority.

DIVISION 10: CONTRACTORS AND BUILDING STANDARDS

Art. 55. Requirements, generally.

Sec. 55.5. Minimum requirements.

Sec. 55.5.5. Residential contractors shall be a currently licensed Georgia Licensed Residential Contractor as defined in OCGA § 43-41-2 (9), and possess general liability and workers' compensation insurance. Contractors shall read and comply with the information contained in Appendix G – Builders Insurance Requirements for Commencing or Continuing Work. Additionally, contractors shall complete the form contained in Appendix H – Residential Contractor Builder Application.

Sec. 55.5.10. Subcontractors (electrical, plumbing, landscape, general, utility and others) shall have current general liability insurance, current workers' compensation insurance and appropriate Georgia business licenses for the county in which they are providing services. It is the responsibility of property owners to ensure contractors have the appropriate credentials and insurance.

Sec. 55.5.15. Circumstances that result in the loss of privilege to work in Big Canoe include, but are not limited to, the following:

- A. Residential contractors have had no building activity in Big Canoe for a consecutive three-year period.
- B. Residential contractors' compliance deposit or general liability insurance is allowed to lapse.
- C. The BCPOA has claimed the surety deposit to secure the satisfactory completion of a house or other structure being constructed.
- D. There is a third violation of these Standards within a twelve (12)-month period.
- E. The business entity under which residential contractors operate is dissolved or restructured.
- F. A house or other structure is not completed in accordance with the approved plans.

Sec. 55.5.20. In the event of an emergency requiring remedial activity (such as fallen trees or roof failure) covered by these Standards, and in instances where there is danger to property or persons, immediate steps shall be undertaken to prevent further damage or loss. An after-the-fact submittal appropriate to the circumstances is required to be filed with AECD as soon as possible.

Article 60: Surety and Compliance Deposits.

Sec. 60.5. Property owner(s) or residential contractors shall submit a Surety Deposit (SD) set forth in Appendix I – Content of Surety Deposit Letter of Credit, the purpose of which is to ensure all construction projects or property improvement projects, including but not limited to painting, driveways, and landscaping, are completed in accordance with the approved plans.

Sec. 60.10. Damage to roads or adjacent properties, erosion issues, and all clean up shall be repaired or completed within one year. The SD provides financial support for Article II, Section 1, Paragraph (f) of the Covenants, which gives BCPOA the right to do or have done, at the property owners' expense, any and all of the above-mentioned work that has not been completed in the prescribed one-year time frame.

Sec. 60.15. Surety deposits may be cash, certified check, or irrevocable letter of credit deposited with the BCPOA, and the amounts shall be as follows:

Sec. 60.15.5. For new homes, the SD will be ten (10) percent of the reasonable construction cost minus the cost of the lot or \$30,000, whichever is greater.

Sec. 60.15.10. For additions requiring a roof, the SD will be \$1,000 plus \$5.00 a square foot.

Sec. 60.15.15. For additions not requiring a roof, the SD will be \$500 plus \$5.00 a square foot.

Sec. 60.20. Fees will be calculated on the total square footage involved, including garages, carports, decks, and all floors whether living space or not.

Sec. 60.25. The SD will be released by the AECD upon timely and satisfactory completion of the construction as outlined in Appendix J – Construction Completion Requirements, as evidenced by final inspection by the AECD Manager or another BOD designee, and by the Surety Deposit Release Form. Occupancy before this final BCPOA inspection and occupancy approval will result in a fine of \$3,000.

Sec. 60.30. Under certain conditions, a partial release of the Surety Deposit may be granted with sufficient funds held to cover completion of unfinished work.

Sec. 60.35. Prior to commencing any exterior site activity or construction, residential contractors shall place on deposit with the BCPOA the sum of \$3,000 in the form of cash or a letter of credit, which is the residential contractors' compliance deposit as set forth in Appendix K – Content of Residential Contractors' Compliance Deposit Letter of Credit for the purpose of guaranteeing compliance with these Standards.

Article 65: Construction Site Management.

Sec. 65.5. Each job site shall be kept as neat and clean as practicable. All construction materials shall be stacked neatly and kept within the property lines.

Sec. 65.10. The following apply to trash and debris management on the construction site:

Sec. 65.10.5. All trash, litter, building debris, and pallets shall be deposited in an on-site dumpster at the end of each workday. Residential contractors shall ensure that no trash, litter, or building debris adversely impacts neighboring properties, common areas, or roadways.

Sec. 65.10.10. All debris or other material stockpiled for removal shall be neatly stacked in the driveway/parkway area. Such debris or material visible from adjacent homes or roadways shall be removed by the end of each work week and by the last work day before a designated holiday.

Sec. 65.10.15. Burying or burning of trash and unused building materials is prohibited.

Sec. 65.10.20. There shall be a minimum of one portable bear-proof waste container on site.

Sec. 65.10.25. Dumpsters shall be exchanged when full and are to be exchanged only on the job lot.

Sec. 65.15. Job site signage.

Sec. 65.15.5. Every new construction job site shall display a job site sign, protected from the elements, identifying the residential contractor and property owners, and displaying county building permits.

Sec. 35.15.10. The 911 address shall be posted visibly at all times.

Sec. 35.15.15. The AECD approved lot identification signs and drop boxes are the only authorized signage permitted to be posted at the job site.

Sec. 35.15.20. Trees shall not be used for posting signs.

Sec. 65.20. Noise.

Sec. 65.20.5. Any construction activity that produces sufficient noise so as to unreasonably disturb neighbors during the hours defined in Big Canoe Rules and Regulations for allowable construction activities is prohibited unless specifically authorized by AECD. This requirement is not intended to prohibit work, but rather to limit noise.

Sec. 65.20.10. Loud talking, above the typical noise level of construction activity, is occasionally required to support the activity. This shall be the exception and not the rule.

Sec. 65.20.15. Profanities and obscenities that can be heard beyond the property line are prohibited.

Sec. 65.25. All construction sites shall have a portable toilet facility on site, which shall be located off of the road and with the door facing away from the street.

Sec. 65.30. Should any of the above be violated, AECD reserves the right to assess a fine or have the violation remedied at the expense of the property owners or Residential Contractors. All fines and losses of privileges may be appealed to the General Manager or her/his designee within thirty (30) days of the notice of such fines or losses of privileges.

Article 70. Damage, Fine, Penalties, Sanctions for Construction Site Management Violations.

Sec. 70.5. Damage.

Sec. 70.5.5. Damage incidents affecting public safety shall be reported immediately to BCPOA Public Safety Department (PSD), 706-268-3376.

Sec. 70.5.10. Damage incidents affecting the utilities serving Big Canoe (including electrical, water, sewer, telephone, natural gas, CATV) shall be reported to the appropriate utility company as soon as damage is detected.

Sec. 70.5.15. Other damage shall be reported to AECD by the end of the next work day.

Sec. 70.10. Fines, Penalties, Sanctions.

Sec. 70.10.5. The BCPOA BOD has the authority to establish penalties, fines, and sanctions for non-compliance or damages on or off site, including neighboring lots, roadways, road shoulders, rights-of-way, utilities, common landscape elements, and amenities. The AECD Manager will notify residential contractor of non-compliance or damages.

Sec. 70.10.10. In addition to the cost of repairs, failure to report damage incidents constitutes a violation which is also subject to a fine. After 24 hours, if a violation has not been satisfactorily corrected, the BCPOA will take appropriate action against the residential contractor including, but not limited to, the following:

- A. A charge for corrective action taken by BCPOA.
- B. A cessation of work at the construction site.
- C. A denial of access into Big Canoe.
- D. A denial of AECD approval.
- E. A fine of \$500 for first offense; \$1,000 for second offense; \$1,500 or suspension of building privileges for third offense within a twelve (12) -month period,
- F. A fine of \$50 per day for trash on site.

Sec. 70.10.15. Fines for violation will be debited from the CD account if the residential contractor has not otherwise paid such fines within thirty (30) days after notification of the fine assessment.

- A. Any residential contractor whose CD account has been debited for a fine cannot begin a subsequent project until the account balance has been restored to \$3,000 and there are no outstanding unpaid fines.
- B. The CD, less any damage costs or fines assessed, will be returned to the residential contractor when the residential contractor is no longer engaged in active construction activity within Big Canoe and submits a written request to the BCPOA to terminate the residential contractor's deposit.
- C. The BCPOA may deposit these monies into an interest-bearing account with the interest accruing to the BCPOA.

Article 75. Preconstruction of New Homes, Exterior Modifications of Existing Homes, Demolition, Fines.

Sec. 75.5. General Information.

Sec. 75.5.5. Plans, specifications, drawings, surveys, and other required information shall be submitted to and receive approval from the AECD before any alteration of the property begins, including but not limited to clearing, tree removal, equipment mobilization, construction material delivery, and grading. Flagging and staking are the only activities permitted prior to AECD approval. This requirement is derived from the Covenants, Article VIII, which states:

“No Family Dwelling Unit, Public and Commercial Unit, garage, carport, playhouse, fence, wall, swimming pool, or other structure shall be commenced, erected, or maintained upon the Properties, nor shall any exterior addition to any existing structure or change or alteration therein, nor shall any landscaping or site work be done until complete final plans and specifications therefor showing the nature, kind, shape, height, materials, basic exterior finishes and colors, location and floor plan therefor, and showing front, side and rear elevations thereof, respectfully, in the name of the Residential Contractor(s) and/or landscaper have been submitted to and approved by the Company, its agents, successor or assigns as to harmony of exterior design and general quality with the standards of the Neighborhood Area and Big Canoe generally as to location in relation to surrounding structure and topography....”

Sec. 75.5.10. Specific neighborhood standards, requirements.

- A. Residential homes within Big Canoe have unique neighborhood guidelines. The respective neighborhoods are defined by lot number in Appendix L – Big Canoe Neighborhoods.
- B. Unique neighborhood requirements are stipulated in Appendix B – Neighborhood Guidelines.
- C. Specific exterior color choices are set forth in Appendix C – Big Canoe Approved Exterior Colors.
- D. Additional information regarding cluster homes is contained in Appendix M – Cluster Home Neighborhoods.

Sec. 75.5.15. Structural soundness, durability, quality of construction, safety, functionality, as well as conformity to county and state building codes and regulations beyond the Covenants and these Standards are not the responsibility of the BCPOA, its employees, or its agents.

Sec. 75.5.20. Residential Contractors shall ensure the accurate placement of all structures on the site, barring unforeseen impediments, within six inches of the location and elevation shown on the approved site plan.

Sec. 75.5.25. If a plan submittal is approved in writing without limitation, construction may begin.

Sec. 75.5.30. If the proposed plans are not approved, the areas noted for correction shall be re-submitted for approval prior to construction commencement.

Sec. 75.5.35. Fees associated with construction are contained in Appendix N – Fee Schedule for AECD Services.

Sec. 75.5.40. The property owners or the residential contractor shall ensure that all required architectural plans and site plan information are submitted to the AECD for review and approval, including any variance requests or requests for new products. The variance or new product request requires the completed application found in Appendix F – Cover Page, Requests for Appeals, Variances, and New Product, which will subsequently be reviewed by AECC.

Sec. 75.5.45. Each submittal is reviewed on a case-by-case basis. Approval of one submittal does not create a precedent for other applications. The AECD may deny any construction plan if the size, location, or aesthetics is not compatible with adjacent homes or the neighborhood. In addition, a house or addition shall be placed, insofar as is possible, to respect the privacy and view corridors of neighbors.

Sec. 75.10. Residential design standards.

Sec. 75.10.5. Residential designs shall respect and complement the natural Big Canoe aesthetic, the surroundings and climate of the North Georgia Piedmont.

Sec. 75.10.10. Resource conservation is encouraged.

Sec. 75.10.15. Standards for residential construction and detailing are contained in Appendix O – Residential Design, Construction, and Detailing.

Sec. 75.10.20. A-frame style houses are prohibited.

Sec. 75.15. Driveways and parking areas.

Sec. 75.15.5. Immediately after grading is completed, the driveway shall be graveled with a minimum of six (6) inches of #3 or #4 stone, and cross drains and culverts shall be installed.

Sec. 75.15.10. Geotextile matting shall be used under gravel on the driveway entries for a distance of 20 feet extended from roadway toward the house.

Sec. 75.15.15. Driveways and parking pads shall only be asphalt or Belgard Dimension 6 Antique style pavers in Iron Bay color. Asphalt millings, paving millings or similar materials are prohibited.

Sec. 75.15.20. For previously approved black concrete driveways, the property owners are solely responsible for maintaining the color.

Sec. 75.15.25. Asphalt and concrete driveway color may be permitted if it falls within the Nix Color Sensor photometer range of 3.0-13.0, as measured by the AECD.

Sec. 75.15.30. All driveways on a single property shall be of the same material and color.

Sec. 75.15.35. Driveway materials shall be continuous from start to finish without the insertion of other accent materials unless specified in Appendix B - Neighborhood Guidelines.

Sec. 75.15.40. Driveways requiring more than one curb cut are allowed in certain areas as defined in Appendix B - Neighborhood Guidelines, but are discouraged because of the impact on the natural environment and drainage patterns.

Sec. 75.15.45. Driveways that interrupt drainage shall use a minimum of twenty (20) feet of pipe, consistent with the approved site plan.

Sec. 75.15.50. Driveway grade shall not exceed twenty-five (25) percent.

Sec. 75.15.55. The maximum driveway width is twelve (12) feet, and the maximum driveway flair at the street is twenty (20) feet.

Sec. 75.15.60. Reflectors may be used at a driveway entrance. There shall be a maximum of one (1) reflector on each side of the driveway entrance, and red is the only permitted color.

Sec. 75.20. Architectural plan requirements for new construction, modifications to existing construction.

Sec. 75.20.5. Three sets of the architectural plans shall be submitted to scale.

Sec. 75.20.10. The architectural plans shall contain the following:

A. A title block, which shall include:

1. Total square footage.
2. Lot number.
3. Name of property owners.
4. Name of residential licensed contractor.
5. Date of submittal.
6. Scale of drawing.

B. All proposed elevations of front, sides, and rear of new construction.

C. Overall dimensions of new construction.

D. All windows, doors, decks, porches, and other structures and architectural features.

E. All exterior materials.

F. Details of all exterior architectural elements as intended to be built.

G. Elevations, with topographic information, of all sides of the house shall include floor-to-floor heights, roof pitches, building height, existing and proposed finished grades, and exterior finish materials.

H. All levels with accurate room dimensions and functional names.

Sec. 75.25. Site plan requirements for new construction, modifications to existing construction.

Sec. 75.25.5. Site plans shall be prepared by a State of Georgia registered architect, civil engineer, or land surveyor, shall be submitted to AECD for approval before any alteration of the property begins. The AECD Manager may forego this licensure requirement on a case-

by-case basis, taking into consideration the scope of the project and the experience and credentials of the individuals preparing the drawings for submission. All plans will be reviewed with strict adherence to these Standards.

Sec. 75.25.10. Three sets of site plans drawn to scale shall be submitted.

Sec.75.25.15. The site plan shall include the following:

- A. Topographical elevations and design detail.
- B. All property line boundaries and required setbacks from those boundaries.
- C. All state and county buffers and if none, so stated.
- D. Topographical survey at a minimum of a two-foot interval.
- E. House, garage and other structure location and orientation which, to the greatest possible extent, shall parallel contours of the land with minimal site disturbance.
- F. Finished floor elevations.
- G. Driveways, walkways, and retaining wall locations.
- H. Proposed grading and drainage.
- I. All erosion control measures.
- J. Location of all special or irreplaceable natural features.
- K. Clearing limits of construction activity.
- L. Specimen trees and shrubs to be protected.
- M. Location of septic tank, drain fields, field lines.
- N. Dawson or Pickens County permit for septic installation.

Sec. 75.30. Dimensional requirements.

Sec. 75.20.5. Houses shall be setback a minimum of forty (40) feet from edge of road pavement.

Sec. 75.30.10. Garage and carport shall be setback a minimum of thirty (30) feet from edge of road pavement.

Sec. 75.30.15. There shall be a ten (10) -foot buffer on side property lines on all lots (excluding cluster home areas), which shall remain undisturbed;

Sec. 75.30.20. Maximum limits of clearing are as follows:

- A. A maximum of ten (10) feet beyond the footprint of a building.
- B. A maximum of three (3) feet beyond the edge of approved driveway paving.
- C. A maximum of one (1)-foot beyond the edge of walkways.

Sec. 75.35. Septic tanks.

Sec. 75.35.5. A county health department inspection is required prior to back filling tanks and drain fields.

Sec. 75.35.10. Proposed septic tank field lines shall be installed between trees to the greatest extent possible.

Sec. 75.35.15. Indication of not more than ten (10) feet allowable for installation of chamber system.

Sec. 75.35.20. Until approved by the POA, secondary back up fields shall remain undisturbed in the event of a primary system failure.

Sec. 75.40. Preconstruction requirements.

Sec. 75.40.5. Prior to site clearing, the limits of clearing shall be identified by flagging trees with visible tape or ribbon, consistent with the approved site plan.

Sec. 75.40.10. Specimen trees and shrubs shall be wrapped with orange “tree save” fencing to ensure their protection, consistent with the approved site plan.

Sec. 75.40.15. Lot corners shall be accurately staked and property lines flagged.

Sec. 75.40.20. Footprints of structures, edges of driveways, parking pads, septic fields, and walkways shall be staked and outlined with tape or ribbon consistent with the approved site plan.

Sec. 75.40.25. The property owners or the residential contractor is responsible for contacting the AECD to request a site location inspection once the grading is completed and structures and septic field location are re-flagged.

Sec. 75.45. Site preservation and protection.

Sec. 75.45.5. All appropriate and proper erosion control measures shall be installed prior to any major land disturbance.

Sec. 75.45.10. Silt fences shall be installed prior to grading and shall be properly maintained throughout construction until the forest floor has stabilized. Once stabilized, fences shall be removed.

Sec. 75.45.15. Damming or altering the course or flow of streams is prohibited.

Sec. 75.45.20. All extra dirt needed for backfilling shall be removed or carefully stockpiled. Excess dirt that cannot be safely handled on the site shall be removed and, if necessary, hauled back when needed.

Sec. 75.45.25. All dirt stored on site shall be securely covered to prevent erosion problems.

Sec. 75.45.30. Dirt or other material shall not be mounded around any vegetation that will be saved.

Sec. 75.45.35. Once initial grading is complete, all exposed soil shall be covered with straw in accordance with proper Georgia Soil and Water Conservation Commission Best Management Practices.

Sec. 75.45.40. All parts of trees, including the main root areas, shall not be damaged during construction without prior written approval from the AECD.

Sec. 75.45.45. Soil levels over root areas shall be maintained and water flow patterns shall not be altered.

Sec. 75.45.50. Soil compacting, crushed tree roots, or mechanical damage to trees is prohibited.

Sec. 75.45.55. Vehicles shall not park in treed areas, including on root spaces. Construction equipment, access and material storage shall be minimal and placed away from trees as far as possible.

Sec. 75.45.60. Chemical or cement rinsing on the property is prohibited.

Sec. 75.45.65. Tree damage or removal prior to construction, or without approval during construction, is prohibited.

Sec. 75.45.70. Barriers shall not be nailed to trees.

Sec. 75.45.75. Clearing-limit flagging (tree save fence) will be verified during the site location inspection.

Sec. 75.45.80. Clearing-limit flagging (tree save fence) shall be maintained until removal is approved by the AECD.

Sec. 75.45.85. Trees beyond the clearing limits shall not be removed, and any work outside of the designated clearing limit shall be first approved by the AECD.

Sec. 75.50. Demolition.

At some point in the life of a structure, property Owners may elect to demolish a residence and rebuild or sell the property. Partial or total residential demolition within Big Canoe shall follow

Standards for new construction as well as following the Standards for partial residential demolition which are as follows:

- A. A written request for partial demolition shall be submitted to AECD for approval, along with a Commencement Date and a Completion Date, proposed drawings clearly showing the area(s) that will be demolished.
- B. AECD approval and a Pickens or Dawson County Permit are required prior to commencement of work. These permits shall be posted on site in a weatherproof receptacle, clearly visible from the roadway.
- C. No trees or natural growth shall be removed without written approval by AECD. Protective fencing shall be erected around trees, natural growth, and other locations as directed by AECD.
- D. Contractors are to minimize air-borne dust by means of wetting down the area.
- E. All debris shall be disposed of in appropriate receptacles on a daily basis and removed as required by these Standards.
- F. In the case of a total demolition, the property shall be restored by means of grading and landscaping. No bare earth areas may remain. Grading shall not adversely affect neighboring properties, and proper drainage shall be established and maintained.
- G. All clean-up shall be completed within fifteen (15) days after the completion of demolition.

DIVISION 15: LANDSCAPE STANDARDS

Sec. 80.5. Landscape requirements.

- A. Initial landscape plans for new homes shall be submitted to AECD prior to the installation of any landscaping.
- B. The landscape plan shall include a visual scale for all softscape (the names and number of plants and trees selected from the 2025 Landscape Guidelines and Plant List), hardscape (rock, stone, concrete, gravel, water features, vertical features, and similar improvements), and the name of the landscaping firm responsible for installation.
- C. Additions to existing landscaping shall be approved by AECD if hardscape is proposed to be added, or if the proposed planting comprises more than twenty-five (25) percent of the existing un-landscaped grounds.

Sec. 80.10. Tree preservation, protection, cutting restrictions, vista pruning.

The AECD is charged with the responsibility of administering and enforcing these landscape provisions. Property owners are responsible for the location of all property lines prior to the pruning, removal, or destruction of trees or shrubs.

- A. No trees, including flowering trees or shrubs, or any evergreens as defined in the 2025 Landscape Guidelines and Plant List measuring six (6) inches or more in diameter (nineteen (19) inches in circumference) shall be removed without prior written approval of the AECD, with the following exceptions enumerated below. This is a requirement of the General Declaration of the Covenants and Restrictions. Failure to follow these standards shall result in a fine.
 - 1. Such growth may be removed without AECD prior approval if located within ten (10) feet of a building or within ten (10) feet of the approved site for such building.
 - 2. Such growth may be removed without AECD prior approval if within three (3) feet from the edge of an approved driveway.
 - 3. Such growth may be removed without AECD prior approval if within three (3) feet from edge of approved driveway.
 - 4. Such growth may be removed without AECD prior approval if within one (1) foot from the edge of an approved walkway.
 - 5. Such growth may be removed without AECD prior approval if in withing one (1) foot of a septic field.
- B. Replanting shall be required for all live trees removed, and shall be a minimum of fifteen (15) gallon. The replanting requirements shall be as follows:
 - 1. Trees measuring 10” to 19” DBH (diameter at breast height) shall require one (1) replacement tree from the approved plant list.
 - 2. Trees measuring greater than 19” DBH shall require two (2) replacement trees from the approved plant list.
- C. Thinning shall be allowed with prior AECD written approval on developed lots. General guidelines for thinning deciduous trees in landscape are as follows:

1. Small trees such as Fringe Tree—ten (10) feet spacing.
2. Medium size trees such as Birch—twenty (20) feet spacing.
3. Large size trees such as Oak—thirty (30) to (50) feet spacing.
4. Parameters for thinning evergreen trees in landscape are greatly dependent on species and usage. Property owners or residential contractors shall submit a written request for the thinning of any evergreen tree.

D. Vista pruning, or the removal or pruning of trees and shrubs for view, has specific procedures and policies which are contained in Appendix P– Vista Pruning.

Sec. 80.15. Violations.

A. Any violation these landscape standards shall result in a penalty, as follows:

1. Unauthorized removal or destruction of any trees as described in Sec. 80.10.A., including those planted by property owners, shall result in a fine of \$1,000 per tree or shrub.
2. Unauthorized pruning of trees or shrubs, including those planted by property owners, on property owned by the violator to enhance the view shall result in a fine of \$500 per tree or shrub.
3. Unauthorized pruning, removal, or destruction of any trees or shrubs as described in Sec. 80.10.A. on property not owned by the violator, including on POA green space or on vacant lots shall result in a fine of \$3,000 per tree or shrub.

Sec. 80.20. Maintenance.

The following maintenance shall occur within 120 days from a notice to the property owners by the AECD:

- A. For all lots, a corridor seventy-five (75) feet in width on both sides of any road, as measured by line of sight from the edge of pavement, shall be addressed as follows:
 1. All visible root balls shall be remediated forcing the root ball back as much as possible into its original location, which is the preferred method; and/or disguising the root ball by an AECD approved landscape plan; and/or moving the root ball outside of the seventy five.
 2. All visible fallen trees shall have trunks touching the ground, including cutting them into sections if necessary to achieve complete ground contact, and cutting the remaining trunk as close to the ground as possible or moved outside the seventy-five (75) -foot corridor, or moved to an off- site location.
 3. Branches from fallen trees or downed canopies shall be cut and laid on the ground or moved outside the seventy-five (75) -foot corridor.
 4. All visible leaning trees shall be cut down and remediated to meet the standards of fallen trees.
- B. Dead and broken trees (snags) may remain in place as long as they pose no danger, as determined by the AECD, to property, rights of way, driveways, other healthy trees, people, or pets.

- C. The POA is responsible for the clean-up of the golf maintenance easement area thirty (30) feet from the property line. Property owners shall be responsible for the clean-up, as described above, up to the nearest structure but not to exceed forty-five (45) feet from the golf maintenance easement area for a total of seventy-five (75) feet from the property line.
- D. The POA is responsible for the tree clean-up of all rights of way within the defined corridor.
- E. By written resolution, the BCPOA BOD may prescribe additional clean-up requirements following devastating natural events, including but not limited to wildfires, tornadoes, hurricanes, or ice storms.
- F. Mulch shall be a natural color that blends with the environment.
- G. No artificial landscape material shall be used except for natural looking mimetic greenery during the winter holiday season.
- H. Landscape material shall not be trimmed or pruned in a manner that results in a shape that is not natural to the plant, shrub or tree.

DIVISION 20: ENFORCEMENT, FINES, APPEALS

Sec. 85.5. Enforcement.

- A. Enforcement of these Standards issued by the BCPOA BOD will be managed by the AECD.
- B. When violations occur, the property owner or residential contractor will be notified by the AECD, and if corrective actions are appropriate, the AECD will provide a maximum of ten (10) days for correction.
- C. If satisfactory correction does not occur, the AECD will assess fines as stated in the Big Canoe POA Rules and Regulations.
- D. During construction of a new home, the property owner or residential contractor shall be responsible for informing the AECD if, at any step in the process, construction deviates in any way from the approved plans.
- E. In all cases, the residential contractor shall be held accountable by the AECD for the actions of the sub-contractors regarding construction of the residence.
- F. There shall be no occupancy of a new residence until an Occupancy Permit has been issued by the AECD.
- G. The property owner and residential contractor shall comply with the “Architectural and Environmental Control Standards of Big Canoe.”

Sec. 85.10. Fines.

Class “A” fines for Violations of **G.1, G.2, G.3, or G.4** shall be assessed on a per property owner or residential contractor basis as follows:

- a. First violation fine will be \$1,500.
- b. Second violation or repeat of first violation, the fine will be \$3,000.
- c. Third violation will result in suspension of building privileges for an active residential contractor.
- d. For purposes of determining second and subsequent violations, a period of twelve (12) consecutive months dating from payment of the last fine assessed under the provisions of this rule will clear the record for any Property Owner(s) or Residential Contractor(s). Following such twelve-month period, the next violation will be classified as a “first” violation.
- e. Continuing violations that are not cured within the 10 days will be assessed a daily fine of \$50 per calendar day beginning on the 11th day and continuing until the violation is corrected to the satisfaction of AECD. This daily fine will be in addition to any one time fine assessed. In the event of a continuing violation, each day the violation occurs or occurs again constitutes a separate offense and fines may be imposed on a per diem basis without further notice to the violator.
- f. For violations of G.3 (moving in prior to approval of occupancy) Property Owner(s) will be fined \$3,000 for the first day of such unapproved occupancy, and \$5,000 on the first day of each successive month of such unapproved occupancy.
- g. Notification of the fine assessment will be in writing from AECD to the Property Owner(s) or

Residential Contractor(s).

h. Class "B" fines for Violation of G.4 shall be in accordance with BCPOA Rules and Regulations Section A. Rules and Regulations Pertaining to Property Owner(s), Tenants and Guests.

Sec. 85.15. Appeals.

Fines may be appealed as follows:

- A. Notice of an appeal of a Class A or a Class B violation shall be made in writing, in accordance with the Architectural and Environmental Control Standards, to the AECC via AECD within ten (10) days of receipt of the written notice of the violation.
- B. Further appeal of a Class A fine or a Class B fine may be made to the BCPOA BOD as set forth in BCPOA Rules and Regulations Section A. Rules and Regulations Pertaining to Property Owner(s), Tenants and Guests, Fining and Suspension Procedures (A.1.2).

Appendices

- Appendix A: AECC Membership Application Form
- Appendix B: Neighborhood Guidelines
- Appendix C: Approved Exterior Colors
- Appendix D: Fencing and Deer Deterrent
- Appendix E: Residential Exterior Trash Can Enclosures
- Appendix F: Cover Page, Request for Appeals, Variance, And New Products
- Appendix G: Builders Insurance Requirements for Commencing or Continuing Work
- Appendix H: Residential Contractor Builder Application
- Appendix I: Content of Surety Deposit Letter of Credit
- Appendix J: Construction Completion Requirements
- Appendix K: Content of Residential Contractors Compliance Deposit Letter of Credit
- Appendix L: Big Canoe Neighborhoods Defined by Lot Number
- Appendix M: Cluster Home Neighborhoods
- Appendix N: Fee Schedule for AECD Services
- Appendix O: Residential Design, Construction, And Detailing