



Legacy Bay Homeowners Association
6035 Paradise Cove Drive
Mooresburg, TN 37811
423-272-3697
www.legacybay.org

Architectural Committee Construction Planning Guidelines

Purpose

This document is intended for use by all Legacy Bay property owners for guidance in the planning and construction of homes, landscaping, hardscaping, gardens, mailboxes, and all other exterior structures. Many of these guidelines also apply to alterations to existing structures.

Authority

The Architectural Committee of the Legacy Bay Homeowners Association is vested by the Covenants, Conditions and Restrictions (CCRs) to provide architectural control and provides a process for members to obtain approval for all construction, alterations, landscaping, and other exterior changes to a property.

This document is not meant to replace the CCRs. The CCRs supersede any information presented herein. All property owners are advised to read the CCRs and the Bylaws, both available on the Legacy Bay website (legacybay.org).

Planning Process

Property owners in Legacy Bay planning any construction or changes to existing construction, including but not limited to new construction, additions to existing structures, alteration of grading of a lot, any landscaping, tree removal or additions, hardscaping, construction of gardens, decks, patios, pergolas, firepits, swimming pools, walls, solar panels, etc., or anything mentioned herein are advised to begin their planning process by carefully consulting this document and the CCRs.

Building Permits

Hawkins County requires a State issued Building permit for all new residential dwellings and for any additions attached to an existing dwelling exceeding 30 square feet. Please consult with your contractor or the State to obtain this permit if necessary. Information may be found at <http://www.tn.gov/fire/homebuilding>.

Please note that the issuance of the State building permit does not supersede the LBHOA's Architectural Control. It is advisable that AC approval be obtained prior to applying for the building permit. Construction will not be allowed to commence without AC approval.

The building permit is required to be posted at the construction site.

**Architectural
Committee**

The Architectural Committee may be reached by email (legacybayarchitecturalcomm@gmail), or by telephone 423-272-3697, or by writing the Association at the following address:

Legacy Bay Homeowners Association
Architectural Committee
6035 Paradise Cove Drive
Mooreburg, TN 37811

Messages left on the Legacy Bay clubhouse phone (above) will be returned within 72 hours.

**Architectural
Forms**

Information and forms for submitting requests to the Architectural Committee are available on the Legacy Bay website (legacybay.org). If a property owner would like copies of the forms sent by U.S. mail, contact the Architectural Committee (see above).

**Approval
Process Timeline**

The Architectural Committee's approval process timeline will commence upon the date when a complete request package is received. The Architectural Committee will meet in a timely way to review an application. While the CCRs indicate that 60 days is provided to the Architectural Committee before a plan is automatically approved, typically the Architectural Committee will make a determination within two to three weeks of an application. Sometimes, however, additional information is needed before the committee may make a decision, and this may delay a decision.

**12-Month
Construction
Requirement**

The CCRs require that construction be completed within 12 months. The Association's policy is that this applies mainly to the exterior of the home. If the exterior of the home is completed within 12 months and the interior of the home is still under construction, enforcement of the 12-month requirement will be deferred unless the on-going construction causes disharmony in the community, creates an unhealthy or risky environment, or can be considered as affecting property values or is detrimental to the overall appearance or the marketability of other properties.

There are numerous causes affecting the construction timetable of a home, but the need is to complete construction in a reasonable fashion and as prudently as possible. Therefore, enforcement will be deferred if the Board determines that reasonable grounds exist for such an action. The overall goal is to ensure progress is being made and a reasonable effort is being made by the homeowner and builder for a reasonable and sensible completion date.

**Primary Use
Restriction**

Homes in Legacy Bay must be for private single family residential purposes only. Rentals are permitted as long as the renters establish a legal residence in Legacy Bay. Vacation rentals are not permitted. Outbuildings (e.g., sheds, detached garages) are not permitted.

**Items Requiring
Prior Approval**

The following is a list of common items that need architectural approval prior to the commencement of work:

- New home construction
- Initial landscaping
- Tree removal
- Initial hardscaping
- Changes to any prior approved plan
- Site alterations
- Major alterations or additions to an existing structure
- New fences and alterations or expansions to existing fences (see “Architectural Guidelines” below)
- New decks and alterations or expansions to existing decks
- New driveways, walkways or patios, and alterations or expansions to existing driveways, walkways or patios
- Arbors, trellises, gazebos, pergolas, or outdoor kitchens
- Fixed window awnings
- Above-ground tank concealment
- Solar panels
- Swimming pools and major water structures
- (Note: Above-ground pools are not allowed)
- Changes to existing exterior colors, roof shingles, trim colors, etc.
- Any construction requiring the use of heavy equipment

This is not meant to be a complete or exhaustive list. Property owners are advised to consult with the Architectural Committee to determine if approval may be required for items that may not be listed above.

**Set-Backs and
Easements**

Please note the following regarding set-backs and easements:

- All structures must comply with the set-back and easement requirements.
- Members are responsible for all encroachment issues that may arise.
- The Association highly recommends that the member should obtain an up to date survey from a qualified surveyor prior to submission of an application to the committee to ensure that all set-back and easement requirements are met.

ARCHITECTURAL GUIDELINES

<p>Damage to Roads</p>	<p>This section applies to road/curb repair due to construction damage.</p> <p>Types of damage and repairs required:</p> <p>Road Surface:</p> <ol style="list-style-type: none"> 1. Minor surface gouges may require a “hot” patch of the gouged portion of the surface. No general overlayment of the affected area. 2. Damage that causes a break in the surface or affects the integrity of the surface or roadbed will require appropriate roadbed prep and replacement of surface. 3. Spills of petroleum products, or other contaminants, affecting the road surface, must be immediately cleaned up and neutralized. Damaged areas must be repaired. In addition, because damage due to absorption of a contaminant may only become apparent in later years, a signed document from the general contractor accepting liability due to pre-mature degradation of the road surface for a period of not less than five years for the full amount of damage occurring will be requested. 4. Spills of other products, such as paint/stain etc, must be cleaned immediately to restore the natural surface texture and color. <p>Curb:</p> <ol style="list-style-type: none"> 1. Minor cracks with no gaps and not affecting the structural integrity or aesthetic properties of the curb need not be repaired, as any repairs would most likely cause more issues than the original problem. 2. Minor cracks with less than ¼ inch gap may be filled with appropriate material if the crack does not affect the structural integrity of the curb or road. 3. Cracks affecting the structural integrity, or substantial breakage of the exposed surface or breaks affecting the structural integrity shall be cause for full replacement of that section of curb. A section, containing the crack/break, of typically an 8 to 10 foot segment where the original seams occur, shall be cut out and replaced to ensure the structural integrity is maintained. <p>The above are general requirements only and resolution to any incident will be determined on an individual basis. The extent of the actual repairs will be determined by and further defined by the Architectural Committee. The Architectural Committee will take all action permitted by the Bylaws and CCR’s necessary to maintain the aesthetic properties and structural integrity of the roads and curbs. The Architectural Committee will determine time frames for corrective action(s).</p>
<p>Exterior Building Materials</p>	<p>All exterior building materials will be predominantly brick, stone, or cedar log. A “variance” to utilize other materials, e.g. stucco, and composites, etc., may be granted.</p> <p>Other materials may be approved for use as a primary exterior building material when the architectural design of the structure dictates that consideration is warranted to maintain the architectural characteristics of the design or to take advantage of the structures location, site uniqueness or maintenance considerations.</p> <p>Stucco is an exterior finish composed of some combination of Portland cement, lime, and sand, which are mixed with water but may also consist of a proprietary mix of additives, including fibers and synthetic acrylics that add strength and flexibility.</p> <p>Stucco will be considered, where appropriate to the design and location/site uniqueness of the house if applied using the proper mesh/lath firmly attached to the structure and when the final coat contains the desired color pigment.</p> <p>(continued on next page)</p>

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Exterior Building Materials (cont'd.)	<p>"Composite" is a building material typically made with vinyl/pvc material, fibers of cement, glass, carbon, organic material or other long lasting, weather resistant manufactured material.</p> <p>Composites will be considered, where appropriate to the design of the house, offers an enhancement over other available materials or is necessary to take advantage of the structures location or site uniqueness.</p> <p>Approved driveway material shall be concrete, pavers or brick and maintained in accordance with the rules, regulations and PSI guidelines of the approved selected material. The driveway is an asset and should exhibit harmony with the dwelling and neighboring homes.</p> <p>Vinyl will only be considered as appropriate material for trim unless unique circumstances can be established for a wider application. Use in a wider application will primarily be restricted to a high quality product with a uniquely textured surface.</p>																																																								
Fences	<p>1. Perimeter fences are permitted only on the following wooded lots:</p> <table style="margin-left: 40px; border-collapse: collapse;"> <tr><td style="padding-right: 10px;">72</td><td style="padding-right: 10px;">81</td><td style="padding-right: 10px;">87R</td><td style="padding-right: 10px;">93</td><td style="padding-right: 10px;">123</td><td style="padding-right: 10px;">208</td><td style="padding-right: 10px;">216</td><td style="padding-right: 10px;">224</td></tr> <tr><td>73</td><td>82</td><td>88R</td><td>94</td><td>124</td><td>209</td><td>217</td><td>225</td></tr> <tr><td>74</td><td>82A</td><td>89R</td><td>95</td><td>125</td><td>210</td><td>218</td><td>226</td></tr> <tr><td>75</td><td>83</td><td>90</td><td>96</td><td>200</td><td>211R2</td><td>219</td><td>227R</td></tr> <tr><td>76</td><td>84</td><td>91A</td><td>97</td><td>203R</td><td>213</td><td>220R</td><td>229</td></tr> <tr><td>77</td><td>85</td><td>91</td><td>98</td><td>205</td><td>214</td><td>222</td><td>231</td></tr> <tr><td>80</td><td>86</td><td>92</td><td>122</td><td>206</td><td>215</td><td>223</td><td>233</td></tr> </table> <p>2. Perimeter fences are permitted only in the rear of the property.</p> <p>3. The fence must be substantially concealed by the home, woodland, natural vegetation, or landscaping.</p> <p>4. The fence must not exceed the dimensions of the width of the house and fall within the "shadow" of the width of the house.</p> <p>5. The fence may extend to 7½ feet from the rear property line.</p> <p>6. The fence must be aluminum, wrought iron or chain link only. No other fencing material may be used. PVC, stockade, split-rail, chicken wire, stone or brick wall fences are not permitted.</p> <p>7. The fence must be green or black in color. No other color is permitted.</p> <p>8. The fence must be installed by a professional contractor.</p> <p>9. Once home construction is completed on a qualified wooded lot if trees were removed to clear a significant portion of the lot so as to make the lot less wooded, the lot may be disqualified from having a fence. A post-construction evaluation of the lot for the purposes of disqualification may be undertaken by the Association.</p> <p>10. All fences meeting the above requirements must be approved by the Association prior to construction.</p>	72	81	87R	93	123	208	216	224	73	82	88R	94	124	209	217	225	74	82A	89R	95	125	210	218	226	75	83	90	96	200	211R2	219	227R	76	84	91A	97	203R	213	220R	229	77	85	91	98	205	214	222	231	80	86	92	122	206	215	223	233
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Landscaping	<p>A lot shall be finished, graded, and seeded or otherwise planted or landscaped within thirty (30) days after the completion of the main residence, unless inclement weather or unavailability of materials precludes such.</p>																																																								
Lighting - Exterior	<p>Pride in our homes is always the shared goal for harmony in our community. Exterior lighting can be bothersome to neighbors and surrounding properties namely—glare and light trespass. Glare is a visual sensation caused by excessive and uncontrolled brightness. Light trespass is splashing or shining light on neighboring property or houses. Our intent is to respect our neighbors and prevent encroaching glare or light trespass.</p>																																																								

	<p>Accent landscape lighting is an accepted feature which can enhance the dwelling's exterior appearance. Soffit corner security lighting is <i>not</i> considered landscape lighting (dwelling features) and is the main cause of offensive glare and light trespass. Soffit lighting is permitted when connected to a motion sensor programmed to time out after a set time, i.e., 20, 30 minutes and is not permitted to remain activated for long extended periods of time thereby causing glare and light trespass.</p> <p>Lights shielded, that shine downward or are dark-sky compliant are recommended.</p>
<p>Mailbox Structure and Design</p>	<p>This Standard addresses material of construction, style, size and location for any residence in Legacy Bay. The Standard shall apply to all mailbox structures and mailboxes installed after the effective date. The mailbox structure plans are to be submitted with the initial home construction package. Mailbox replacement requests should be directed to the Architectural Committee on the appropriate form.</p> <p>Definitions:</p> <ol style="list-style-type: none"> 1. Mailbox – The receptacle that holds mail. 2. Mailbox Structure – The masonry structure which surrounds and supports the mailbox and newspaper receptacle.
<p>ARCHITECTURAL GUIDELINES</p>	
<p>Mailbox Structure and Design (cont'd.)</p>	<p>Standards:</p> <ol style="list-style-type: none"> 1. Materials of Construction <ol style="list-style-type: none"> a. Mailbox structure shall be of the predominant masonry material of the residence, which is visible from the street. In the case of a residence without a masonry design component, the Architectural Committee shall determine the acceptability of any proposed masonry material. 2. Size and Location <ol style="list-style-type: none"> a. The mailbox shall conform to all United States Postal Service (USPS) regulations in effect for curbside locations. Refer to www.usps.com for details. b. Having overall height of between 4 and 6 feet, overall width between 1 ½ and 3 feet, depth as required to surround and support the mailbox. 3. Design <ol style="list-style-type: none"> a. The design of the mailbox structure shall be complementary to the house and community without it becoming the primary focal point of the house and property. Alternate mailbox structure designs may be considered to match the unique design of a house. b. All sides of the mailbox structure shall be enclosed from the ground up and must have a professionally built appearance. c. All mailbox structures shall incorporate a newspaper delivery tube within the structure. No stand-alone tube will be permitted. d. Ornamental finials/light fixtures on the mailbox structure shall be of a type and size that complements the house and the community. e. Lettering and Numbers must be manufactured-quality materials at least 1 inch in height and conform to the USPS regulations. 4. Style of Mailbox <ol style="list-style-type: none"> a. The style of the mailbox shall be such that it complements the community precedent already established. b. No novelty mailboxes will be allowed
<p>Other Structures</p>	<p>With the exception of those listed in the CCRs, at the time of construction, out buildings, storage devices etc. will generally not be an acceptable appurtenance to a</p>

	<p>member's lot. Every effort should be made to accommodate your storage needs within the primary structure from the outset.</p> <p>To the extent permitted in the CCRs, requests for other structures will be considered when extenuating circumstances exist, the structure is made of like and/or complementary material as the primary structure, is in keeping with the overall character of the home, and does not cause disharmony with community standards or the aesthetic or financial value of other properties.</p>
Roof Pitch	<p>The roof pitch shall not be less than 8 on 12 pitch unless specifically waived and approved in writing by the Architectural Committee.</p> <p>The standard for roof pitch is 8 on 12. A variance may be considered for accent or secondary roofs if in keeping with the overall design characteristics of the structure.</p>
Scenic View	<p>The Association is charged by the CCRs to protect the scenic view of all lot owners. Thus, the Architectural Committee will consider the scenic view of other lot owners when reviewing landscaping plans.</p>

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Square Footage Requirements	<p>Phase I, Phase II and Phase III and future Phases, excluding the wooded lots in Phase II for the purpose of building a log home, and the Grand Reserve, Legacy Bay Subdivision:</p> <ul style="list-style-type: none"> • One story residence minimum 1,600 square feet; • One and one half story and two story residences: 1,800 square feet with a minimum of 1,400 square feet on the ground floor. <p>Wooded lots in Phase II and wooded mountain lots in future phases for the purpose of constructing a log home/cabin:</p> <ul style="list-style-type: none"> • All residences minimum 1,400 square feet on the ground floor. <p>Grand Reserve, Legacy Bay, Subdivision:</p> <ul style="list-style-type: none"> • One story residence minimum 2,000 square feet; • One and one half story residence: 2,200 square feet; • Two story residence: 2,500 square feet, with a minimum of 1,600 square feet on the ground floor <p><u>Note:</u> Lots which comprise "The Grand Reserve" in Phases V and VIII are lots 147-177. Lots which comprise "wooded mountain lots in future phases" are lots 89-99 in Phase II, lots 121-125 in Phase VII, lots 178-209 in Phase VI, and lots 210-231 in Phase IX.</p>
"Story" Computation	<p>Structures may not exceed two stories in height. Height restrictions shall be determined by the exposed stories above the highest grade abutting the structure.</p> <p><u>Note:</u> A walkout basement meeting the appropriate requirements may be used in meeting the square footage requirements even though it may not be technically counted as a "story".</p>
Traditional Architectural Character	<p>Residences constructed shall be of a traditional architectural character, provided, however, in the sole discretion of the Association, other types of architectural designs may be approved if desirable, in the sole opinion of the Association, in order to take</p>

	<p>advantage of unusual characteristics of a particular lot brought about by slopes, location of trees or other unique characteristics.</p> <p>Non-traditional architecture will only be considered when extenuating circumstances exist as noted above. Architectural design must not cause disharmony with other structures in the community nor decrease aesthetic or financial value within the community.</p>
Trees	<p>No trees shall be removed from any portion of the property by any person except with prior written approval of the Association. If any trees are proposed to be removed, such removal shall be approved by the Association, and, if desirable, in the opinion of the Association, trees to be removed shall be relocated if reasonably feasible on other portions of the lot.</p> <p>The Architectural Committee acknowledges the importance placed on maintaining trees within the community.</p> <p>Tree planting and removal will be considered based on the needs identified with construction requirements. In addition, the safety and well being of members and their property shall be a consideration as well as when the design characteristics of the structure or overall landscape plan dictate such consideration.</p> <p>The overriding element is to preserve the unique quality and characteristics that trees provide the community.</p>
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Variations	<p>Variations to CCR requirements or to other Architectural guidelines will be considered when reviewing architectural or landscaping requests if the answers to these questions are “yes”:</p> <ol style="list-style-type: none"> 1. Will overall harmony be maintained in the community as to the uniqueness of the structure but not cause undue concern due to the structures peculiarities? 2. Will the variance enhance the overall character or aesthetic value of the house to the community and not potentially take away financial value of the surrounding houses or the community? 3. Will not granting the variance unreasonably impede the owner from constructing a house based on the unique characteristics of their lot? 4. Will the variance allow the structure to better fit in relation to the surrounding structures, landscaping and topography of the site? 5. Are the plans or unique characteristics of the lot such that alternatives are not available to provide compliance, harmony and aesthetic value and character to the structure?