

DESIGN GUIDELINES  
FOR



ARCHITECTURAL REVIEW BOARD (ARB)

NOVEMBER 2017  
GALLATIN, TN



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**DATE:** November 27, 2017

**TO:** All Fairvue Plantation Residents & Approved Builders Remodelers

**RE:** Fairvue Plantation Design Guideline Changes

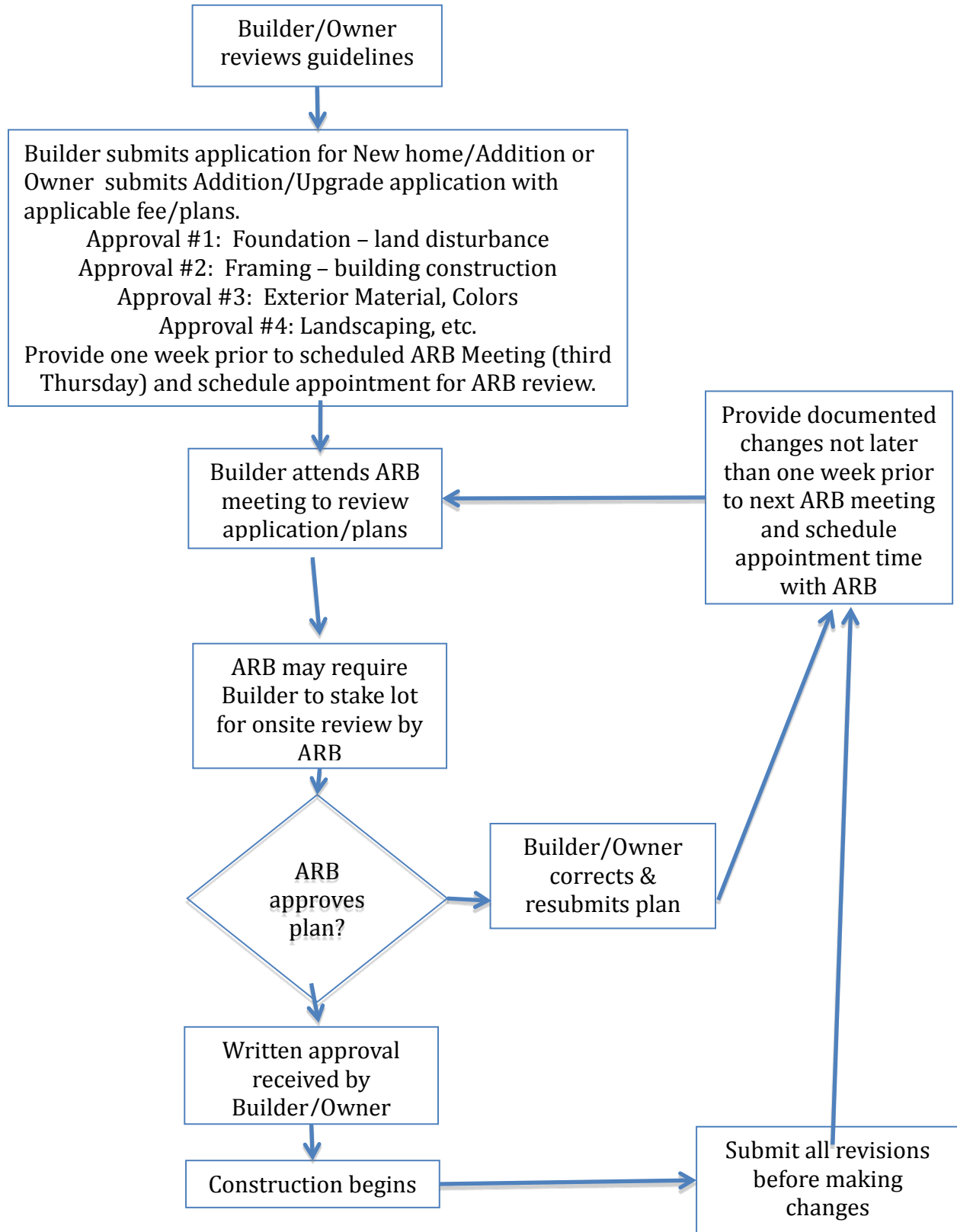
Listed here are the changes to the Fairvue Plantation Architectural Guidelines dated November 2017. These Guidelines will go into effect on 1.1.18:

- Sunlight Design LLC, new approved remodeler with contact information, see page 33  
*Effective immediately*
- Builder/Remodeler ARB Application, references now require addresses, see page 42 & 43  
*Effective immediately*
- Utility box landscape screening information updated, Screening/page 15  
*Residents with no landscape at their utility boxes or replacement needed will be sent notification starting 1.1.18*
- Landscape approved plants list (coordinated with Gallatin Golf Guidelines), see page 16
- ARB Upgrade Application modifications, page 46 & 47  
*Effective immediately*  
*Available at [www.fairvueplantationhoa.org](http://www.fairvueplantationhoa.org), community resources, public documents*
- Yard Art information, Lawn Ornaments/page 22

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# I. PROCEDURAL FLOW CHART



## II. STATEMENT OF DESIGN INTENT

Our community is developed around one of the last magnificent southern plantations. It is an identifiable place with a story to tell about itself; a place with a history and a place with an exciting future; a place that still possesses the quality of time and space that will become the basis of Fairvue Plantation.

Fairvue Plantation has been thoughtfully planned to incorporate a signature 18 hole golf course and country club carefully laid out to preserve all of the existing 19<sup>th</sup> century plantation buildings. The development reinforces excellent community planning standards which are seen in roadways preserving as many large and old trees as possible, five foot wide pedestrian walkways winding throughout the plantation and timeless crafted lamp posts inviting pedestrian activity.

To fulfill our objectives, building on each lot is thoughtfully controlled to capture the character and essence of this by-gone era. The architecture at Fairvue Plantation is encouraged to reflect the timeless form of structures of the 1800's. This form is seen in buildings that are usually two story structures with a main central section and side projections. Materials generally seen are predominantly brick and stone exterior with wood trim and metal, slate or dimensional asphalt shingle roofs. Windows are double hung and doors are paneled wood. Vital features are expressed chimneys, along with entry porticos and porches that draw attention to entrances. On a smaller scale, details such as shutters that are operable, hardware, mailboxes, fencing and street posts reflecting the period further reinforce the design. The Architectural Review Board will be the authority on whether or not a submitted design is in line with the design intent of the neighborhood and only builders who have passed a rigorous review process will be approved by the ARB to build within Fairvue Plantation.

The above design intent ensures a community that transcends the transitory homes of the day and solidly reinforces your investment in Fairvue Plantation. Fairvue Plantation has had a long and excellent history. Together we will write its final chapter and continue to make it a place for all who live here and visit to enjoy and remember.

### **III. Architectural Review Board (ARB) Roster and Contact Information**

For general information, procedures and application submission contact:

**Kay Stinson, Community Manager**

**[kstinson@cmacommunities.com](mailto:kstinson@cmacommunities.com)**

**615.600.4910 direct line**

Send any written correspondence to:

**Fairvue Plantation ARB**

**C/O Community Management Associates**

**Attn: Kay Stinson**

**1916 Patterson Street, Suite 308**

**Nashville, TN 37203**

Members of ARB:

Jim Sweeney – Chairman

Mark Botsko

John Smit

Michele Buschkotter

Danny Guy

## IV. Design Guidelines

These design guidelines are general guidelines for the entire Fairvue Plantation subdivision. Some neighborhoods may have additional specific requirements. It is not practical in these design guidelines to address all possible concerns/issues; in the case where specific guidelines do not exist, the ARB will be the final authority for approval taking into consideration the design intent of the neighborhood, effect on immediate neighbors, location and lot type. Occasionally changes to these guidelines will be necessary and executed and communicated through ARB meeting minutes and memorandums made available to the approved builders. Over time standards may increase or the ARB may learn from prior mistakes, so just because a situation exists in the neighborhood it is not necessarily a precedent for approving similar structures. These guidelines will be updated to incorporate any memorandums published and reissued periodically.

It is intended that a basic harmony of architecture will prevail among buildings so that no one building will detract from the attractiveness of the overall environment. The architectural character of each proposed building or structure will be compatible with the character of existing buildings and the overall theme of Fairvue Plantation.

A variety of architectural designs with their respective appropriate details, materials and colors are required to create a desired streetscape. Homes should complement each other and the whole. Building footprints including porches and entry locations should generally vary from adjacent homes. Buildings must avoid long monotonous, uninterrupted walls or roof lines.

Homes on certain lots are given special focus due to their higher level of visibility. A higher level of architectural details and/or landscaping is required on these lots, including

- Corner- these homes are highly visible as they are viewed from the front and side. The side is considered a second front and will require appropriate architectural details. Large expanses of brick walls will not be allowed. Sides that look like front facades are encouraged. Upgrades to details like windows, false shutters, roof line changes and landscaping are required.
- Terminating views (like a road end) – These homes are the focal point of the streetscape and should be of noteworthy stature. The garages should be placed off the direct view line from the road.
- Common Ground Adjacent – Homes adjoining common ground should be designed considering the public space. Porches or other elements and massing are desired.
- Waterfront – These homes tend to be the larger, more expensive homes in the neighborhood. These homes essentially have two fronts. The lake side, should be designed so it does not simply look like the “back” of a house. Like the front facades, the rear should have scale, massing and detail. Outdoor amenity areas like decks and patios should complement the architecture of the home. Consider the lake view of neighboring homes; blocking views with large retaining walls or tall ever green trees is not allowed.
- Golf Course – These homes are highly visible from the front and the back. Like lake homes, these homes essentially have two fronts. The golf side, should be designed so it does not simply look like the “back” of a house. Like the front facades, the rear should

have scale, massing and detail. Outdoor amenity areas like decks and patios should complement the architecture of the home. Consider the golf view of neighboring homes; blocking views with large retaining walls or tall ever green trees is not allowed. All properties containing golf course easements must comply with instructions pertaining to those easements from the owner of the golf course. The HOA and ARB do not have the authority to approve exceptions to the golf course easement.

**Home Design Guidelines:** A thorough set of working drawings is expected. Vague, poorly detailed or incomplete drawings will be rejected by the ARB.

**1. Square Footage Requirements:** As a general guideline, interior and golf course lots will have a minimum requirement of 3200 square feet and lake lots a minimum requirement of 4000 square feet. *Where specific guidelines do not exist, the ARB will evaluate requests on a case-by-case basis based on location, lot type, and exterior elevations.* Where specific neighborhood requirements have been defined (Peninsula and Gracie Lake) details can be found in the appendix section of this document. *Houses should be of comparable size and quality to surrounding homes.* Merely meeting minimum square foot sizing will not be considered adequate.

Given the estate sized lots and size of homes currently built, from the Plantation Boulevard main entrance to Noah Lane minimum size allowed square footage will be 5000 and are expected to have a substantial footprint and similar design and aesthetic upgrades consistent with neighboring homes.

- a. Gracie Lake: Interior 2500 Square Feet, Lake/Golf 3200 Square Feet
- b. Jacobs Landing:
  - i. Lake Lots: 3200 Square Feet
  - ii. Interior Lots: 2600 Square Feet
- c. The Coves:
  - i. Lake Lots: 3200 Square Feet
  - ii. Interior Lots: 2600 Square Feet
- d. The Villages: 2400 Square feet
- e. From the Plantation Boulevard main entrance to Noah Lane: 5000 Square Feet
- f. Noah Lane to the bridge and Jacobs Drive: 4500 Square Feet
- g. Peninsula: 4000 Square Feet

***All sq ft listed above is heated & cool space.***

**2. General Guidelines:**

- a. Homes built must be designed for and constructed as single-family dwellings.
- b. Orientation – homes should be sited towards and relate to the street and neighboring homes. Homes should not be placed at awkward angles to fit into the building footprint.
- c. Appropriateness of form, color and materials to design style.
- d. Relationship of window to wall and wall to total form (well designed massing). Windows should be vertically proportioned, head heights in



proper proportion to the scale and mass of home. Undersized, short or trendy shaped windows not permitted. Casing, head trim and molding should be appropriately sized.

- e. Appropriateness of detailing to form, style and massing.
- f. Grading – A critical design decision is how to adapt the existing site grades so they are a cohesive part of the individual site and overall development. The architectural development of the house should relate strongly to the existing site grades and inherent character of the site conditions. Grading plans are required for any grade changes. Care shall be taken not to affect adjacent properties, particularly regarding drainage. Finished grades and elevations must be compatible with neighboring sites. Grade changes that affect neighboring lots will not be accepted. Home elevations must be accurate relative to grade showing the expected number of steps.
- g. A home elevation will not be repeated within 3 homes on either side or across the street from the building site.
- h. The architectural character of each proposed building or structure will be compatible with the character of existing buildings and the overall theme of Fairvue Plantation. For example, there are existing consistent architectural design details in the neighborhoods which should be maintained in new homes. Examples are (but are not limited to) exterior elements and finishes such as architectural theme in Reserve and Jacobs Landing, weeping mortar, shutters, natural stone in the Reserve, grade, steps, roof line complexity. Should the stone currently used in the Reserve no longer be available for future homes, the ARB will consider a suitable replacement maintaining the current appearance.
- i. As stated in the C&Rs 5.2. No Easement for View. Each Owner acknowledges that neither Declarant, the Association, the Club nor any Person, has made or is authorized to make, any representation or commitment that any view or vista will be preserved, protected or remain unobstructed, and that there are no express or implied easements for view purposes appurtenant to any Lot.
- j. When an approved builder buys a lot they will be charged the \$500 Capitalization Fee. If that approved builder begins construction of a new home for sale within a year then the new home will not be charged the Capitalization Fee at Closing.

### **3. General Design Restrictions**

- a. Garages: Garages – location, massing and scale shall not compete with or overwhelm the body of the house. Form, design, materials and detailing shall be similar to the house. The back side of multi-car garages cannot be simply a plain brick wall. Windows are encouraged. At a minimum brick details will be required, typically in a herring bone style. Each residence must have a private, fully enclosed garage for at least two cars. The interior walls of all garages must be finished. No garage may have an entrance facing the golf course unless totally screened from view. No garage shall face the street except in The Reserve, Villages, Gracie Lake or on corner lots with appropriate screening and must have the approval of the ARB. Special exceptions may be granted by the ARB on a case-

by-case basis. Street facing garages must have a common roof or roof tie in, so as not to appear detached and will need additional architectural details. A street facing garage should complement the primary façade and will typically need to have a wing wall and carriage style garage door with an overhang, timbers or trellis.

No garage is permitted to be enclosed for living or used for purposes other than storage of automobiles and related normal use. Refer to Article 10 – Use Restrictions, Declaration of Covenants and Restrictions for Fairvue Plantation.

- b. Roofs: The proportions of roofs will be consistent with the proposed architectural style. Portions of flats roofs will be permitted on a limited bases as approved by the ARB. THE USE OF PERMANENT ROOFING MATERIALS SUCH AS SLATE, METAL, ETC IS ENCOURAGED. DIMENSIONAL ARCHITECTURAL SHINGLES ARE TO BE CONSIDERED MINIMUM QUALITY ROOFING MATERIAL. Heating, air conditioning and plumbing vents and other roof extrusions will not penetrate the roof on the roadside of the building unless determined to be absolutely necessary by the ARB. In all cases, vents will be painted the same color as the roof or as part of an approved color scheme.
- c. Windows/Shutters: Windows will be wood painted, stained, vinyl/aluminum clad or high quality vinyl and will be in color harmony with the exterior color and texture of the residence. No metal windows will be permitted for windows or window frames. Shutters must be proportionate with windows and must give the appearance of functional shutters.
- d. Sidewalks: Should be consistent in design, dimensions, material and color of the adjacent sidewalks. All sidewalks installed where a tree exists in the easement will require a sidewalk shield. It is recommended that when sealing sidewalks, non-slip agents be included.
  - a. Size and Locations guidelines:
    - 1. Meet all City of Gallatin sidewalk specifications.
    - 2. Minimum of 4,000 psi concrete with fiber mesh 4 inches thick over 4 inches crushed stone.
    - 3. Expansion joint material shall be KEYKO 4 inch metal.
    - 4. All sidewalks must be 5 feet wide with 1 1/8 " per foot cross slope.
    - 5. Sidewalks are to be 5 feet from curb on all roads except Fairvue Plantation Blvd., which is 4 ½ feet. Grass strip should slope ¼ inch per foot.
  - b. Specific Requirements
    - 1. Big Peninsula (eastern) pattern: use the following or approved equals:
      - a. Running bond used brick: IN-10-40500
      - b. Brick red color hardener: IN-10-02250
      - c. Secondary Color – dark gray release: IN-10-02990
    - 2. The Peninsula: Stone Pavers – Manufacturer/Belgard, Paver/Cambridge Cobble Low Country
    - 3. Small Peninsula (western) pattern: use the following or approved equals.

- a. Notched Ashlar Slate: IN-10-13931
    - b. Sun Gray color hardener: IN-10-02440
    - c. Secondary Color – dark gray release: IN-10-02990
  - 4. Coves: Broom finished concrete, no stain
  - 5. Jacob’s Landing: Stone Pavers - Cambridge Cobble Low Country
  - 6. Reserves: Stone Pavers – Dublin Cobble Ardennes Grey.
  - 7. Gracie Lake including Brown’s Lane: “Belgard” pavers.
- c. Sidewalk shields: Root barrier protection will be installed at the builder’s expense at each building site where a tree exists in the city easement when a sidewalk is installed. The product used shall be the NDS sm-1220 20’ long x 12” high plastic barrier. Center the barrier section in line with the trunk of the tree and install alongside the street side of the sidewalk to provide barrier protection for ten feet in either direction of the tree. This serves to redirect roots parallel to the walkway and prevent shallow roots from growing under the concrete causing possible disruption to the surface over time.
  - 1. Description:
    - a. 1-piece, without hinge-type sections
    - b. Material: up to 100 percent post-consumer, high-impact polystyrene (HIPS) with rubber-izer added and UV inhibitor.
    - c. Thickness: Minimum 0.040: - 0.060”
    - d. Connections: Stapled overlap
    - e. Reinforcing Ribs: ½” deep, raised vertical ribs running perpendicular to sheet, 6 inches on center.
    - f. Color: Black
  - 2. Physical Properties:
    - a. Tensile Stress, ASTM D 638: 3,800 psi
    - b. Yield Elongation, ATSM D 638: 35%
    - c. Flexural Modulus, ATSM D 790: 300,000 psi
    - d. Notched Izod Impact, ASTM D 256: 2.0 psi at 73 degrees F.
    - e. Rockwell Hardness, ASTM D 785: L50.
- e. Handicap ramps: All work to conform to City of Gallatin specifications.
- f. Driveway cuts:
  - a. All work to be done according to drawing in the Appendix.
  - b. Special care to be taken if driveways are closer than two feet to maintain the approved driveway cut.
  - c. Driveways will be consistent with others in the phase where construction is to take place and are to conform to the Covenants and Restrictions.
  - d. Driveways in the Reserve must be made with Dublin Cobble Ardennes Grey pavers that match others in this community.

All driveways and parking areas shall have hard impervious, dustless surfaces, such as aggregate, brick, or uncrushed stone. However, in no event will asphalt or brushed concrete be permitted, other than concrete is allowed in the Coves and Jacobs alley entry garages. Vanderbilt can be used,

typically with an accent. The Vanderbilt mix selected should not have the appearance of brushed concrete, and the aggregate should be clearly visible. Driveways may connect to Streets at only two (2) points for each Lot and such connection shall provide continuity of any drainage swale or curb and shall blend into the Street pavement. The entire driveway flare must be within a perpendicular line from the front lot corner though the ROW from the property and the street. No curbside parking areas may be created by extending any portion of Street pavement. The design and location of all driveways shall be approved in advance by the A.R.B.

Note: It is recommended that when sealing driveways, a non-slip agent be included.

- g. Solar Panels: Solar collectors must be aesthetically integrated into the design and they must be hidden from view whenever possible. When the solar collectors are placed on the roof, they should be racked at the same pitch and detailed to be as unobtrusive as possible. The ARB will reject any collector of any size, shape, or color that is insensitively designed or located. All solar equipment must be screened from adjacent views in some fashion acceptable to the ARB.
- h. Exterior Wall and Roof Surface:

Exterior Wall: No builder will use a similar brick or exterior wall color to another house within 3 houses on either side or across the street of the building site. If it is questionable as to whether it is similar, the ARB must be consulted for approval. Even if a “client” has picked a brick or exterior color, another home under construction (brick being laid or wall colors applied) is the base for the three-house rule and the “client” will need to pick another brick or exterior color. The ARB may request sample boards.

- |               |   |
|---------------|---|
| Approved:     | Brick<br>Stucco<br>Stone<br>Processed cement siding<br>Other material approved by the ARB |
| Not Approved: | Exposed concrete block<br>Traditional vinyl siding<br>Traditional aluminum siding         |

Roof Surfaces:

- |           |  |
|-----------|--|
| Approved: | Tile<br>Architectural Asphalt shingles<br>Standing seam metal (residential design)<br>Slate<br>Rubber (flat roof)<br>Other hard surfaces approved by the ARB |
|-----------|--|

- i. Doors: All exterior doors must be solid wood doors, wood/glass combination, iron or fiberglass. Storm doors or security doors on front of the house or any door visible from the street or golf course must be approved by the ARB.
- j. Satellite dish/antennas: ARB to approve locations and screening. (18" maximum diameter). Satellite dishes – Satellite dishes are not allowed on roofs. Dishes on the side of the house must be low enough to be landscape screened. No dishes are allowed in the front yard; they should be on side or back yard bed. If a dish is located on the side it should not be close to the front of house. The dish should be landscaped with evergreen material so as not to be visible from the street or golf course or neighbor's view. Other locations must also be screened to soften the appearance of the dish. Satellite landscape should be to the top for the sides and rear and to the bottom on the front so it doesn't block. If installed outside of a garden bed near the home, the dish will likely be required to be moved.
- k. Mailboxes: All mailboxes will be Imperial Brand black mailboxes (For details, contact: Dam Signs & Graphics – 111 Stonewall Dr., Hendersonville, TN 37075, Phone: 615-826-9078, Fax: 615-822-4793 or Concept One Signs – 210 N. Locust Ave, Gallatin, TN 37066, Phone: 615-452-2900)
  - a. All lots except Coves, Gracie Lake, Villages & Reserve: Large Mailbox #830 RLB with #1 black side plates, 3" brass letters, #3 black holder and 3" century post.
  - b. Coves, Gracie Lake, Villages & Reserves: Small Mailbox #888K with #1 black side plates, 2" brass letters, #8 black holder and 3" century post.
- l. Decks: All decks plans must be accompanied by highly detailed plans. Low maintenance decking material is encouraged. All new decks must be built of redwood, cedar or synthetic decking materials. In no case can a deck have visible treated pine (pine stair stringers may be used for synthetic decks).
- m. Awnings require ARB approval and a solid, neutral color is preferred. Some areas have differing requirements and those requirements will prevail
- n. Window mounted mechanical units: No window mounted mechanical units are allowed.
- o. Pools: Inground Pools must be submitted with accurate elevations and site plans including all easements. Materials must be specified. Any retaining wall must show accurate dimensions and height. Pool equipment location is to be designated on the site plan; and not to be located next to the neighbor's master bedroom. Pool equipment is not allowed within 3 feet of the side property line to allow for proper landscape screening. Landscaping and fence plans are to be submitted with the pool application. The landscaping plan should include sufficient evergreen plantings to adequately screen the pool from view especially on golf course lots. If an installer has not previously built pools in Fairvue, the installer needs to meet with the ARB to review policies and expectations. This will help ensure both homeowner and Fairvue expectations are met.

- p. No Easement for View: Each Owner acknowledges that neither The HOA or The ARB nor any person, has made any representation or commitment that any view or vista will be preserved, protected or remain unobstructed, and that there are no express or implied easements for view purposes appurtenances to any lot.

## **Landscape Guidelines:**

In keeping with the landscape character of the subdivision, plantings for building development sites shall reinforce the natural character quality of the surroundings. Cleared areas should be landscaped with trees, shrubs, and lawns designed to complement the architectural character of the proposed building in form, location and scale. Homes must incorporate an adequate amount of "green space" (grass) in all site plans. Plant material of advanced maturity and of the highest quality should be used to give the property a finished and established feeling. All lawns must be sodded. Homes should be sodded with grass that typically stays green year round. Bermuda is not approved since it spreads at a fast rate and can quickly invade other grass areas. Zoysia, a much slower spreading grass can be used, but the homeowner is responsible to prevent intrusion into neighbors' yards. Owners will be encouraged by the ARB to landscape their lots with plant material that is indigenous to the existing areas. Dark mulch or pine straw is preferred; red mulch & red rock is not allowed.

The front of homes will typically be landscaped with a twostep mass. The front row can be deciduous. A side of a home visible from the front porch of a neighboring home (and therefore also visible from the street) should have landscaping similar to a front yard. The height of plantings needs to be proportionate to the wall height/windows. Landscaping must take into consideration the drop of the land versus the rise of the house. The Material List needs to show the height of all plants.

All new home submittals should include a 3" caliper tree in the front yard such as those listed in the "ARB Approved Replacement Trees" located in the next section. Additional trees may be required dependent upon the lot. Homes in "The Peninsula" require trees as detailed in the requirements for "The Peninsula". On lots less than 50' wide and smaller than .25 acre, combination beds with multiples of ornamental trees may be submitted in place of one large tree.

All new home construction landscaping as well as changes to existing landscaping must be approved by the ARB. Removal of trees with a caliper of 4" and larger must be approved prior to removal. Request for removal must typically include a replacement tree. When a home is approved for construction, trees that sit within the home footprint are considered approved for removal. Approved trees planted as part of a new home or addition landscape plan cannot be subsequently removed without permission, even if under 4" caliper. Tree removals will consider the streetscape not just the individual house. When a tree is removed the tree stump must also be removed or at a minimum the stump must be cut below ground level and covered with dirt/grass.

In the event trees are removed from the property without ARB approval, refer to the following section on Tree Removal Policy.

The mature canopy of all plantings must be taken into consideration and be planted at least ½ of the mature canopy width inside the lot line next to neighboring residential lots.

ARB Approved Replacement and Front Yard Trees: The following trees are examples of trees that will be approved as replacement trees or for the front yard tree requirement: White or Red Oak, Willow Oak, Pin Oak, Red Maple, Autumn Blaze Maple, Red Sunset Maple, October Glory Maple, Sugar Maple, dogwoods in appropriate location, Southern Hawthorn, Slender

Silhouette, Coral Bark Maple, Japanese Maples (fireglow, bloodgood, laceleaf), male non-fruiting Ginkgo such as Goldspire and in some cases, multiples of European Hornbeams. *See approved plantings list, page 16.*

Bamboo and Flowering Ornamental Pear Trees (such as Bradford Pear) and related species including all *Pyrus calleryana* will not be approved for planting in Fairvue Plantation.

ARB approvals will specify stipulation that approval is contingent upon the vendor who prepared proposal being used, unless otherwise specified in the application.

Irrigation: Irrigation for new homes is required for the entire lawn. Screening at backflow preventer is required if visible from street, golf course or neighbor's home. Examples of screening are: softtouch holly & boxwood.

Screening: Landscape screening is meant to soften the appearance by breaking up, fully or partially blocking view of the item being screened. Screening requirements may vary based on the quality of what is being screened, for example a real stone wall will require less screening than a stained concrete block retaining wall.

Outdoor Mechanical Equipment: Landscape screening is required for all HVAC units, backflow preventers, electric/gas meters, phone/cable boxes, electrical boxes, irrigation control panels, satellite dishes and other outdoor mechanical equipment. Plans for screening must be presented with landscaping plans. HVAC screening must be dense. The backside of HVAC must be screened when backing up to the golf course or another house. Mechanicals that are placed within view of the front door of adjacent homes also need to be screened from that view. For air conditioning units, ever green hedge like bushes of a height at least equal to the height of air conditioning units are required. Bushes must be planted close enough together to ensure the units are shielded from view. Do not locate HVAC toward the front third of the house. If any mechanicals are screened with faux rocks, they must also be accompanied by plantings. Standalone rocks or faux rocks are not permitted. Grasses are not an acceptable screening plant. Sky Pencil Holly are not an acceptable HVAC or large utility box screening plant.

Screening of utility boxes located near the curb should be accomplished with a combination of plantings that incorporate an assortment of lower level evergreen plant material rather than a solid hedge encircling them. The goal is to soften the appearance of the utility boxes. Suggested & approved plantings are winter gem boxwood, abelia, hollies/China girl, blue princess and Cleyera japonica. All plantings should be planted approximately 4' from utility boxes.

The following plants are examples of acceptable evergreen screening materials (they must maintain their leaves year round): Hollies, Dwarf Buford, Nellie R. Stevens, Laurels, Boxwoods and Yews. Example: Hydrangea can only be used in combination with other evergreen plants, such as orange rocket barberry or cleyera, in a ratio not to exceed a 50/50 mix. Grasses – the use of grass as a primary screen is not acceptable. Grass may only be used as an accent in a bed with EVERGREEN plants and must not exceed 20% of the bed as grasses are typically cut for the winter exposing the item being screened.



## - GUIDE TO LANDSCAPE PLANTING -

### **Approved Trees**

Arborvitae (emerald & green giant)  
Leyland Cypress  
Yoshino Cryptomeria (Japanese cedar)  
White Oak  
Red Oak  
Pin Oak  
Autumn Flame Maple  
October Glory Maple  
Sugar Maple  
Crimson King Maple  
Loblolly Pine Tree (native pine tree)  
Cloud Nine Dogwood (hybrid that can withstand warmer temps)  
Red Bud (native understory tree)  
Yoshino Cherry (understory tree)  
Beech (fagus sylvatica)  
Crepe myrtle (ornamental tree)

### **Approved Shrubs**

Laurels (schip laurels or cherry laurel), see utility box screening for specifics  
Boxwoods (winter gem, Korean, American, Green Mountain)  
Yews (densaformus)  
Cleyara Japonica  
Compacta Holly  
Dwarf Burford Holly  
Crepe Myrtle (only when used in combination with evergreen plantings)

### **Utility Box Screening Plants**

Screening of utility boxes located near the curb:

Winter gem boxwood

Abelia

Hollies/China girl

Blue princess

Cleyera japonica

All plantings should be planted approximately 4' away from utility boxes

### **Lower Height Evergreens** (part of 2 step mass plantings)

Helleri Holly

Dwarf Yaupon Holly

Blue Rug or Blue Pacifica Juniper

Abelia (rose creek)

Azalea ("encore" variety simply due to heat tolerance)

Nandinas

Red Tip Dogwood Shrub

### **Specifically Prohibited Species**

Invasive species (including barberry, euonymous, wisteria)

Bradford Pear

Outdoor recreational equipment (including but not limited to: inground pools, playsets, trampolines, hot tubs, basketball goals): All recreational equipment must be submitted for approval and include a site plan showing the location and a landscape plan for screening. Pictures of the equipment should be included in the submittal. While complete screening may be impractical, applications for installations must be accompanied by a landscape plan to “soften” their appearance if visible from the street or golf course. Recreational equipment should generally be placed behind the house so as not to be visible from directly in front of the home and should not have a negative effect on adjacent property.

Trampolines are encouraged to be placed in the ground, especially when requested on golf course lots, lots adjacent to common property or when the elevation of the lots makes screening more difficult. When in the ground, trampolines will still require screening but it can be lower level to soften the appearance of the trampoline and safety nets.

Hot tubs need to be fully screened with evergreen material to a minimum height of the top of the tub. Incorporating the hot tub into a patio design including a bricked or stoned wall is encouraged.

All recreational equipment is to be kept in good condition at all times. Equipment should be removed from property once there is a continued period of non-usage.

Landscape lighting – If landscape lighting is proposed to be installed a landscape lighting plan quantifying fixtures, wattages, transformers and locations shall be submitted for review and approval before installation. Care should be taken to ensure the lighting is not obtrusive to neighboring properties.

Wood piles should be landscape screened from street view.

**Fairvue Tree Removal Policy:**

The Fairvue ARB is chartered to help preserve the character and essence of the Fairvue Plantation. This transcends the approval of improvements to the community and includes consideration of the natural habitat as well. The previous policy concerning tree removal and the associated fine structure for unapproved removals is deemed inadequate today. Therefore the ARB has adopted the following Fairvue Tree Removal Policy.

The Fairvue HOA has distributed this policy to all the Lot Owners and has publicized the prohibition on cutting the covered trees without first obtaining ARB approval. Therefore, fines will be assessed if any trees are cut down without following this policy.

**A. APPROVED TREE REMOVAL:**

- The removal of any tree 4” or greater in caliper\* from any lot whether planted as a part of new construction or previously standing, must be approved in advance in writing by the ARB.

(\*Caliper of a tree is defined as the diameter (thickness) of the trunk at a height of 2’ above grade.)

- When a tree is removed the tree stump must also be removed or at a minimum the stump must be cut below ground level and covered with dirt/grass.
- An ARB approved replacement tree of similar size and type must be planted in the near vicinity unless otherwise directed by the ARB.
- There may be many rational reasons for such removal (dead, damaged, encroaching, dangerous, etc.), but removal for view is generally not an acceptable reason.

**B. UNAPPROVED TREE REMOVAL AND FINES.** Lot Owners who remove trees from the property without ARB written approval will be subject to the following tree replacement procedures and fines.

- **FIRST NOTICE.** The Lot Owner will be sent a **FIRST NOTICE** of the violation in writing. The Lot Owner within ten (10) days after receipt of the **FIRST NOTICE** shall either request a hearing with the ARB or notify the ARB that he or she will proceed within thirty (30) days from receipt of the **FIRST NOTICE** to replace the number of tree(s) removed with like species and with similarly sized tree(s) and in close proximity to where the removed tree(s) was/were located. The Lot Owner shall also provide the ARB with written notice (to the HOA’s property manager) that such tree(s) have been replaced within that timeframe.
- **SECOND NOTICE.** If the Lot Owner does not plant the replacement tree(s) as set out above after receipt of the **FIRST NOTICE**, then ARB will send a **SECOND NOTICE**.
- **FINES. (a) Failure to Respond to FIRST NOTICE.** Fines as provided below are due and payable if ten (10) days after receipt of the **FIRST NOTICE** either (i) no request in writing for a hearing has been received by the ARB or (ii) no written confirmation was provided that the Lot Owner would proceed to replace the number of tree(s) removed with like species and with similarly sized tree(s) and in close proximity to where the removed tree(s) was/were located within thirty (30) days from receipt of the **FIRST NOTICE**.

The Lot Owner will have waived any right to a hearing with the ARB or an appeal to the

HOA if no request in writing for a hearing has been received by the ARB within ten (10) days after receipt of the **FIRST NOTICE**.

The fines for failure to respond as required after the **FIRST NOTICE** shall be as follows:

- i. Each Tree 4-6" caliper\*: \$500
- ii. Each Tree 7-10" caliper: \$1,000
- iii. Each Tree > 10" caliper: \$1,500

**(b) Failure to Respond to SECOND NOTICE.** The Fines as provided below are due and payable if fifteen (15) days after receipt of the **SECOND NOTICE** the Lot Owner has still not replaced the number of tree(s) removed with like species and with similarly sized tree(s) and in close proximity to where the removed tree(s) was/were located. The fines for failure to replace the trees as required after the **SECOND NOTICE** shall be doubled as follows:

- i. Each Tree 4-6" caliper\*: \$1,000
- ii. Each Tree 7-10" caliper: \$2,000
- iii. Each Tree > 10" caliper: \$3,000

**(c) Interest.** If any fine is not paid when due, the fine will accrue interest at a rate of one and one-half percent (1.5%) per month or the highest rate allowable by law until paid in full and the required replacement tree(s) is/are planted.

- **Location of Replacement Trees(s).** The ARB has the right to direct the location of the replacement trees by specifying same in a writing provided to the Lot Owner.
- **Additional Enforcement Rights and Attorney Fees.** In the event the Lot Owner continues to ignore the replacement request and notices, the ARB and/or the HOA may arrange to have the tree(s) replaced and charge the Lot Owner an additional fine equal to the cost of the replacement tree(s) and its/their planting. If not paid voluntarily, the ARB and/or HOA may seek enforcement and collection in court and/or file a lien against the Lot for such amounts and/or take any other permitted enforcement actions as provided by the HOA's Declaration and By-Laws. If the ARB and/or the HOA must bring any such enforcement action, in addition to whatever damages and/or other relief that may be awarded, it shall also be entitled to its reasonable attorney fees and costs.
- **Hearing and Appeal Process.**

**i. ARB Hearing.** The Lot Owner is only allowed to request an ARB Hearing after the **FIRST NOTICE**. The Lot Owner within ten (10) days from the receipt of the **FIRST NOTICE** may request a hearing before the ARB, but such request must be in writing and directed to and received by the ARB (through the HOA's property manager). Following the hearing the ARB will provide its decision to the Lot Owner in writing.

**ii. HOA Board Appeal.** From the receipt of the ARB decision, the Lot Owner has ten (10) days to request an appeal to the HOA Board, but such request must be in writing and directed to and received by the ARB (through the property manager) and otherwise comply with the requirements of the HOA's By-Laws.

**iii. Waiver of Hearing and Appeal Rights.** The Lot Owner is only allowed to request an ARB Hearing after the **FIRST NOTICE**, otherwise the right to a hearing and appeal is waived. Failure of the Lot Owner to strictly abide by these hearing and appeal procedures and the procedures set out in the By-Laws shall constitute a waiver of the Lot Owner's hearing and/or appeal rights.

## **Fence Standards:**

A fence can be constructed with prior approval from the ARB. The proposal will be submitted on the Upgrade Submittal form and include a site plan showing property lines and any easements as well as pictures or a brochure describing the fence material to be used. The original corner pins must be found prior to installation. Sidewalks do not designate property lines and are often off by several feet. *If unable to locate the pins, a professional survey must be completed.* Typically perimeter fences should be placed on the property line especially on side yards to avoid “no man’s land” should a neighbor also wish to install a fence. Fences that are installed outside the property line will have to be moved. If a fence is installed in a yard adjacent to an existing fence, a terminal post will be installed where the fences would join thus not requiring the fences to be physically attached.

All fences must have access for public utility easements and may not extend beyond the front of the home (generally, they should connect to the back corners of the home or on the sidewall nearer the back of the home). If an adjacent property has a fence, they should connect. Fencing cannot be of solid material – you must be able to see through it. A driveway gate is considered part of the fence, though it may be taller. Non-perimeter fences may also be allowed, for example around a pool. No signs may be hung on or otherwise displayed on any fence including, but not limited to, the fence manufacturer’s or installer’s name.

Fences on the golf course: must be constructed of metal such as steel, wrought iron or aluminum, black or dark in color and 4’ in height with no columns. No chain link, wood or plastic will be permitted. Fences facing the golf course will typically be allowed on the property line with the understanding that a fence on the property line is within the golf course easement and will require Golf Course approval (please allow for extra time to gain this approval). Fences must be at least two feet from the cart path. Fences that are in the golf course easement must have access from the golf course.

Fences not on the golf course: Fences not on the golf course must be constructed of metal such as steel, wrought iron or aluminum, black or dark in color with a maximum perimeter fence height of 4’. No chain link will be permitted. Fences on the lake cannot be on Corps property.

Coves: Where a home has a use easement, a fence may cross the property line and be next to a neighbor’s home. The use easement starts 10’ back from the front of the house. These fences must have a front and rear gate, one of which must be on the neighbor’s property. All perimeter fences will be black.

- Fences on Baxter Lane running parallel to Plantation Blvd (lots 705-718) will have a back gate for maintenance, be parallel to the back lot line and be 5 feet inside the lot line, so as to enable a straight line of fences and avoid the existing tree line.
- Fences on Laffite Way running parallel to Noah Alley (lots 810-818) will be installed 42” from alley side of rear curb onto property line, providing distance from rear driveways located along Noah Alley. There must be a front and rear gate. The rear gate is for access to property located behind the fence belonging to the owner.

Gracie Lake: Fences for Fairington Way and Jarman Lane houses backing up to Brown’s Lane: A 20 foot open space/landscape buffer, fence easement and PUD exists along Brown’s Lane. The ARB will allow fences to be built in the easement. The fences will need a gate on the Brown’s Lane side for maintenance. While we do not anticipate requiring the need to have the fence

removed; fences built in this easement will be approved with the following formal encroachment conditions:

- a. The ARB grants the Homeowner the right to encroach upon the Easement to install a fence in compliance with the plans and drawings presented to the Fairvue ARB. The fence must be 2 feet off the pillars towards the house, in line with other fences, if any.
- b. The Homeowner agrees to keep the Encroachment in good repair, including but not limited to keeping the grass adjacent to the Encroachment, including on the arborvitae side of the Encroachment within the Homeowner's Lot, properly trimmed, mowed and in good repair.
- c. The Homeowner agrees that upon the request of the Fairvue HOA, to remove the Encroachment upon thirty (30) days written notice, at the Homeowner's expense, and to return the grounds of such Encroachment to its preconstruction and/or pre-installation condition.
- d. The Homeowner agrees that nothing in this Encroachment Agreement or the fact that the Encroachment is maintained by the Homeowner for any period of time shall create any presumption for the purpose of the Homeowner, or any heirs, successors or assigns of the Homeowner, claiming any right that such Encroachment is permanent by any legal theory and the Homeowner, on its behalf and on behalf of its heirs, successors and assigns, hereby renounces any intent to claim that the Encroachment be permanent and Grantor renounces any intent to grant such Encroachment in perpetuity.

**Outdoor Recreational Equipment** (including but not limited to swing sets, outdoor gyms, trampolines, hot tubs and basketball goals): Plans for installation and landscape screening must be submitted and approved by the ARB. Equipment should not be in side setback.

- a. Equipment subject to being toppled by wind should be installed (staked) such that it does not move off the owner's property.
- b. Must be maintained in a good state of repair – useable and appealing.
- c. Must be removed when no longer used.
- d. In ground basketball goals must be placed behind the front of the house. Basketball goals must be usable and must not be laying down on the ground/driveway.
- e. Swing set roofs must be green, brown or wood, bright or multi-colored roofs are not allowed. Slides should be green.

**Flag and Flag Pole Policy (permanent structures):** Plans must be submitted and approved by the ARB.

- a. Pole must be factory pole of one-piece construction
- b. Placement of pole considerations: dimensions to house, lot easements.
- c. Flag Size: 4' x 6' maximum in good condition.
- d. *Type Flag: American Flag. Exceptions must be approved by the ARB.*

**Shoreline Riprap:** Placing riprap on the lake shoreline on Corp property will be governed by the Army Corp of Engineers and will not be subject to ARB approval, unless the riprap is to be temporarily stored on the lot for more than one week.

**Window Treatments.** Temporary Window Treatments are permitted up to thirty (30) days after home occupancy. Any temporary window treatments, including, without limitation, sheets, canvas or other opaque or security coverings, shall be removed after 30 days. Appropriate window treatments shall be used on all windows. Sheets, bed linens, blankets and paper or plastic bags and other similar items are not appropriate window treatments. The portion of all window coverings visible from any street for a residence shall be white, off-white or neutral unless otherwise approved by the ARB.

**Lawn ornaments.**

Lawn ornaments (including statuary, ponds, fountains, birdbaths, wind chimes, attached American flag &/or team flags, landscape flags, etc.) visible from front yard or golf course must be of appropriate material, size, imagery and in good condition. Faux flowers (silk or plastic) are not allowed in exterior landscapes, only in seasonal décor. The limit is (3) yard ornaments in front for all properties & (3) in back for golf course lots. This limit does not include lawn furniture, grills, fire pits or chimneys.

**Holiday Decorations.**

Decorations that are seasonal (Spring, Fall, Winter) can be displayed during that season. Yard art guidelines remain in effect for seasonal décor.

## V. Approval Process

Builders/Owners are required to submit plans to Fairvue Plantation's ARB to obtain approval prior to submitting to the City of Gallatin. This process is supplemental to the City of Gallatin's requirements and does not alleviate the owner of responsibility to comply with all existing applicable Federal, State and local law or code. Contact the Fairvue Plantation Community Manager to begin the process.

The ARB will provide a response (emailed w addresses or mailed if no email address) to builders/owners approving or rejecting a plan application within 30 days of a complete plan submittal. Reasons for rejection will be included in the response from the ARB. If an owner is granted approval, they may begin work in accordance with the appropriate approvals/stipulations given and following the construction guidelines in this document. Work must be performed as approved. Any encroachment on neighboring property will need to be removed at the homeowner's expense, regardless of the timing of when the encroachment is discovered.

- b. Upgrades: any change to the outside of a home, including but not limited to fencing, landscaping, lighting, adding screens to an existing porch, replacements that are changes to existing (shingles, painting, windows, shutters), recreational equipment (playground sets, trampolines, basketball goals, hot tubs), etc.**

*\*Replacements that are not changes are considered maintenance and do not need ARB approval, but making the ARB aware of your project is appreciated for their records.*

The requirements for gaining approval of the ARB for an upgrade are:

- i. Submit completed Upgrade Submittal form. (Appendix C in this document)
- ii. Provide site plan, landscape plan, measurements, etc

You are not required to attend the ARB to present plans - questions or concerns will be addressed by mail, email or phone call. To ensure expediency, you may request an appointment with the ARB during its regularly scheduled meeting.

Upgrades must be completed within 90 days of the written application approval. At the discretion of the ARB, this time frame can be reduced to 60 days if such project is considered simple and the shorter time frame is reasonable. IF the homeowner feels they need more time to complete their project, this should be noted in the initial application, along with the extenuating circumstances that will require the extra time. The final completion date requirement will be stipulated in the approval letter. Please note that the failure to complete the project within the stipulated time, can result in one or all of the following: fines, expiration/subsequent disapproval, forfeiture of deposits and/or disapproval of the request.

Once approved it is expected that the builder/homeowner will proceed to complete the project in a reasonable time frame. There are two different time requirements for approved projects, depending on the complexity of the project. The written project approval will provide a stipulation for when the specific approved project must either **commence or be completed**. If



the stipulated time frame is not met, then the approval is terminated and the project will be treated as originally disapproved. Refer to Article 10 – Use Restrictions, Declaration of Covenant and Restrictions for Fairvue Plantation.

- a) New home construction, room additions and major remodels – must begin within 120 days after approval.
- b) Approved upgrades must be completed within 60-90 days after approval.  
(see page 23/Upgrades)

Homeowners, who are over 90 days late on HOA payments including dues and monthly neighborhood fees, may not be eligible to be approved for new homes, additions or upgrades by the ARB.

## **A. Application Process**

Submittals for the Architectural Review Board (ARB) should be received by the second Thursday of each month (one week before the regularly scheduled meeting) to be reviewed at the monthly meeting. Electronic documents are required (Portable Document Format/PDF) and if not so submitted, the request will not be processed. Plans are considered “submitted” if they are received complete one week prior to the meeting, if not, the submittal date will be considered as of the following ARB meeting. Please deliver complete submittal (application and plans) to the Property Manager. Submittal forms must specifically state what is being asked for approval. Resubmitted plans must specify what has changed since prior approval if requesting an approval for a change. Meetings are scheduled for the third Thursday of each month at 1:00 unless adjusted for holidays and occasional ARB member scheduling conflicts.

If an Approved Builder or Approved Remodeler submits an application they are considered to be the responsible party, otherwise the homeowner is the responsible party. ARB will communicate with the builder of record, unless otherwise noted.

### **1. Builder Requirements**

In accordance with paragraph 9.1.5 of the Declaration of Covenants and Restrictions, the ARB has determined that all new home builders in Fairvue Plantation must be approved by the ARB and only Approved Builders can be used for new homes within Fairvue Plantation. Using Approved Builders that have a proven track record of success, and have shown their ability to design and build according to the design intent of the neighborhood, build good quality homes and provide ongoing warranty support is critically important to the reputation and integrity of Fairvue Plantation. Approved Builders are listed and the builder criteria and application are in these Design Guidelines. With our Approved Builders Program, the Builder obtains approval for home construction rather than the homeowner and is responsible for communicating and coordinating with the ARB. The Approved Builders know the rules and work with the ARB to obtain approvals for and to complete projects. *We have added signature lines for builder and home/lot owner indicating their commitment to abide by C&Rs and Design Guidelines.*

## 2. New Home Construction

The builder or his representative must schedule an appointment with the ARB to review submitted plans and to address questions or concerns of the board. Appointments will be scheduled with the Community Manager representative that is listed in Section III. The approval process consists of four separate approvals:

- Approval 1: Foundations – Land Disturbance
- Approval 2: Framing – Building Construction
- Approval 3: Exterior Materials and Colors
- Approval 4: Landscaping and other (pool, deck, fence, etc.)

Appointments will be given and will begin at or after 2:00 on the day of the meeting. While all approvals can be obtained at the meeting, to begin construction, minimally, Approvals I & II must be granted. Since exterior choices and landscaping choices are often made later in the building process, Approvals III and IV can be sought at a later ARB meeting and must be approved before that work begins. If there are no concerns with the plans, the ARB will provide written approval of the plans and construction can begin. If there are concerns, a request for specific directional changes will be given and the plan will be “disapproved” until resubmitted.

A complete application consists of: a paper & electronic copy of the site plan & construction blue prints, and a check for \$400 made out to Fairvue Plantation HOA. The submittal fee for new home construction is \$400, which includes all four approval processes. The fee must be submitted with plans and applications to the ARB to be considered a complete application. The Application fee is \$400 for the first application for a new home, which can/should include all 4 approvals for the new home -(Foundation - Land Disturbance, Framing – Building Construction, Exterior Materials and Colors, and Landscaping and other (pools, decks, fence, etc.). If applications are made separately for subsequent approvals, for example exteriors or landscaping, then there will be an application fee of \$100 for each future submittal.

If a builder/homeowner has a time sensitive requirement, they may request an expedited approval, which may or may not be granted subject to availability of ARB members. Electronic submittals are required for expedited requests. Expedited approvals are subject to an “expedite fee” of \$200.

## 3. Existing Home/Property Modifications

Modifications fall into two categories: **Addition or Upgrade.**

- a. **Addition:** includes work that changes the exterior structure of the house or typically requires excavation including room additions, enclosing decks, pool, patio, retaining wall, outdoor living areas etc. If an Addition will change the exterior structure of the house (i.e. room addition, enclosing decks), then the homeowner may either use an Approved Remodeler, get their Remodeler approved or the homeowner may pay a \$2000 (or amount noted at the discretion of the ARB) refundable deposit and use the remodeler of their choice. The deposit will be returned upon the successful completion of the project (*which matches application and stipulations in approval letter*) and would only be charged in accordance with procedures similar to charging

the builders deposit for a new home. Additions that do not change the external structure of the house (such as a patio without a roof structure, minor garden retention walls) can be completed by remodelers of the homeowners choice and no deposit will be required, however fines determined may be levied if necessary to correct situations, (i.e. trash), which are not in compliance with the Design Guidelines rules.

The requirements for gaining approval of the ARB for an addition are the same as that for new construction with the following further modifications:

- i. Blue prints or a dimension plan, site plan and elevations
  - ii. Submittal fee of \$200 if exterior structure change or \$100 if not.
  - iii. \$10,000 refundable deposit if the Addition changes the exterior structure of the house and the Builder/Remodeler is not on the Approved List. *At the discretion of the ARB this amount can be revised.*
- c. **Upgrades:** any change to the outside of a home, including but not limited to fencing, landscaping, lighting, adding screens to an existing porch, replacements that are changes to existing (shingles, painting, windows, shutters), recreational equipment (playground sets, trampolines, basketball goals, hot tubs), etc. \*Replacements that are not changes are considered maintenance and do not need ARB approval. Notifying the ARB is appreciated for their records.

*The requirements for gaining approval of the ARB for an upgrade are:*

- iii. *Submit completed Upgrade Submittal form.*
- iv. *Provide site plan, landscape plan, measurements, etc*

You are not required to attend the ARB to present plans - questions or concerns will be addressed by mail, email or phone call. To ensure expediency, you may request an appointment with the ARB during its regularly scheduled meeting.

Upgrades must be completed within 90 days of the written application approval. At the discretion of the ARB, this time frame can be reduced to 60 days if such project is considered simple and the shorter time frame is reasonable. IF the homeowner feels they need more time to complete their project, this should be noted in the initial application, along with the extenuating circumstances that will require the extra time. The final completion date requirement will be stipulated in the approval letter. Please note that the failure to complete the project within the stipulated time, can result in one or all of the following: fines, expiration/subsequent disapproval, forfeiture of deposits and/or disapproval of the request.

*ARB approvals will specify stipulation that approval is contingent upon the vendor who prepared the proposal being submitted to the ARB, unless otherwise specified.*

## B. Plan Requirements

1. Site Plan: all items that apply must be indicated on the site plan.
  - a. Plan must be to scale.
  - b. All setback, easements, property lines and other limiting borders.
  - c. Trees to be removed that are over 4" in diameter.
  - d. All trees, shrubs, plants to be planted – provide a material list notating specimen, size of plant and location. New trees must be planted at least ½ of the mature canopy distance width inside the lot line next to neighboring residential lots.
  - e. Irrigation systems with location of backflow preventers.
  - f. Changes to grade indicated with contour lines so the magnitude of various cuts and fills may be determined.
  - g. Proposed drainage modifications such as ditches, swales or drainage structures.
  - h. Retaining walls with details of materials and accurate dimensions specified.
  - i. Modifications to adjacent lakeshore such as erosion control riprap, stone or boating accommodations. (Must meet U.S. Corp of Engineers required standards and obtain permit approval).
  - j. Proposed curbs, driveways, or other vehicular access work.
  - k. Walks, paths, sidewalks with materials and dimensions. The leading edge of front porches and house steps must be brick or stone, not concrete. (note: Coves can have sidewalk concrete steps).
  - l. Fences – type, height, gates and materials. Include a picture of the fence.
  - m. Underground utilities.
  - n. House location to scale.
  - o. All site structures, including but not limited to: HVAC and outdoor mechanical equipment, garden structures, pools, pool equipment, pet enclosures, trash receptacle enclosures, and tennis courts. Other recreational or athletic courts must be dimensioned and indicated with materials and details shown.
  - p. Exterior lighting of home or other structures must be detailed.
  - q. All crawl space doors to be on the side of the house.
  - r. Driveway materials must be indicated and other surfaces of any type must be clearly dimensioned. Plain/broom finished concrete is not approved for driveways except in alley loaded lots in the Coves and Jacobs.
  - s. Mailboxes locations (mailboxes are specified by Fairvue Plantation and must be purchased by the owner of the lot). Mailboxes – should be located a reasonable distance away from the next door mailbox, and to the side of the driveway toward the center of the home unless otherwise approved.
  
2. House/Addition Plan
  - a. Foundation Plans (1/8" per foot minimum scale)

Footing sizes and locations (dimensioned) and any slabs on grade. Detailed section through footings showing reinforcing, drainage, vapor barriers, etc.
  - b. Structural Plans

One plan per floor including roof with all joists, walls headers, chases called out for material and dimensions. Chimney framing and details. Chimneys – will be of brick, stone or stucco and shall extend to the ground and penetrate the roof line.
  - c. Architectural Floor Plans (1/8" per foot minimum scale)

Dimensioned wall layouts window and door locations dimensioned, plumbing fixture locations. Finished floor elevations should be indicated. Mechanical unit locations are to be shown to scale

- d. Exterior Elevations – All sides shown to grade of the actual building lot. All materials shall be called out and large acceptable samples submitted with plans.
- e. Roof Plan
- f. Architectural Details Plans  
Details are required of the exterior walls, roof to wall transitions. Windows and door schedules and specifications. Exterior trim, molding details. Cornice sections, dormer details, and any railing or other elements must be shown.
- g. Windows and door schedule. Garage door picture or link. Vinyl windows are not allowed in Jacobs Pointe or the Peninsula.
- h. Landscape plans are required for all outdoor projects at the time of submittal.

## VI. CONSTRUCTION GUIDELINES

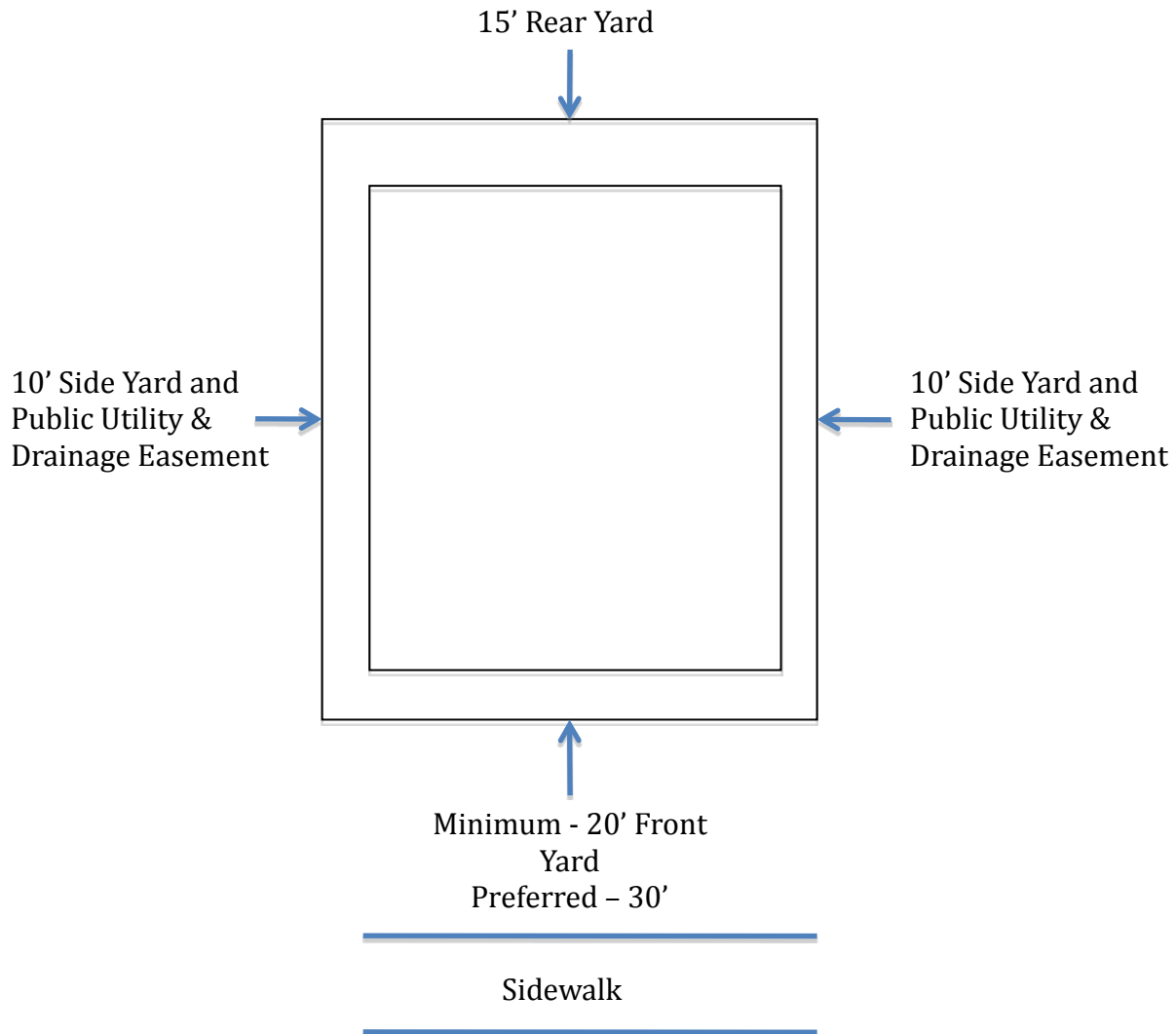
General: The ARB will retain the final drawings and approval for a maximum period of one hundred and twenty (120) days. If the work has not started or a continuance received by the builder/owner within the 120 day time period, the approval will automatically expire.

1. Job Start: No construction, footing work or construction work of any nature will be started without written approval from the ARB. The Chairman of the ARB can give verbal approval in time sensitive situations. Work started prior to receipt of approval will be subject to legal action and the contractor responsible may be subject to disciplinary action.
2. Job Trailers: None allowed unless approved by the ARB.
3. Portable Toilets: must be provided during all phases of construction. Port a lets must be removed at or before occupancy for new construction.
4. Job signs/sales signs: Must be in accordance with current sign policy.
5. Trash removal: All contractor's and sub-contractor's trash must be deposited in a trash dumpster daily and the dumpster must be emptied before trash can be seen above the top of the dumpster (or in the case the trash is creating a unfavorable odor in the immediate area). No burning of scrap lumber or trash allowed unless the City issues a permit. The construction site must be free of all trash except for what is contained in the dumpster. Dumpster should be placed on lot on which construction is taking place unless an alternate location is approved by the ARB – in no case will a dumpster be placed on an adjacent lot without the owner's written approval.
6. Site Containment:
  - a. Temporary driveway: each job site must have a temporary driveway of ¾" or 1 ½ " stone.
  7. Silt Fence: after the foundation is in and prior to framing, a silt fence must be installed on all sides of the property, along the property line, except for the temporary driveway entrance. The silt fence should remain in good working order at all times and will remain until the grass/sod is installed. Staked straw bales may be necessary. Particular care must be taken to prevent erosion into the lake and onto the golf course. Care must also be taken to minimize erosion into the streets. Muddy streets should be cleaned promptly.
8. Construction Duration: ARB must be informed of overall schedule intent by the general contractor and the duration of construction should not be longer that what is typical and reasonable for the type home being built. At no time should construction be halted for any reason without notification to the ARB.
9. Construction Compliance: If the ARB deems that construction is different from approved plans, the ARB reserves the right to stop construction at the owners' expense until an

acceptable remedy has been approved by the ARB. Demolition of non-conforming construction will be at the lot owner's expense. Deviations to the approved plans may result in the builder entering the progressive discipline process and may result in expulsion from the approved builder program.

10. Codes: Gallatin Codes determines minimum allowable construction, Gallatin Codes will state what is required IF something is to be constructed. The ARB approves whether or not the requested item to be constructed is approved. Constructing an item or revising an approved item on the basis of "Codes requires it" is not acceptable; the plan must be approved by the ARB. If something is required to meet Code that is contrary to what was submitted then it must be resubmitted to the ARB. Just because Codes says it has to be a certain way doesn't mean it is approved. If Codes requires something to be a certain way but it is contrary to the C&R's or Design Guidelines, then it will not be allowed by the ARB and an alternative plan needs to be submitted that meets Codes, Design Guidelines & C&Rs.
11. Noise: Contractors may not have loud radios or leave vehicle stereos on during construction. Recognizing that construction projects may be on lots adjacent to the golf course, contractors should take care not to disturb golfers during peak golf periods (especially on Saturday and Sunday). Construction should not create noise that may disturb residents at unreasonable times (generally, before 7:00 a.m. or after 7:00 p.m.).
12. Parking: Contractors will park on the street according to City of Gallatin Guidelines and should never impede neighborhood traffic. Construction adjacent to golf cart crossings should not block the view for golf carts crossing public roads.
13. Lot corners: Builders must maintain visible corner lot pins/markers throughout construction to easily verify the lot during all phases – i.e. foundation, retaining walls, irrigation, landscaping, fences. Situations have arisen, and more are expected as the neighborhood builds out where, someone, likely inadvertently, encroached on their neighbor's property often with fences and landscape beds. Sidewalk ends are typically not on the lot line, but have sometimes been used for locating items. As the ARB does not approve projects where items are placed outside your property line, the continued stance is that work must be performed as approved and any encroachment on neighboring property is an unapproved item and will need to be removed at the homeowner's expense, regardless of the timing of when the encroachment is discovered.
14. Occupancy: All approvals must be obtained, and all fines paid, if any, before a house can be occupied. The intent of this clause is to enable people to move in the middle winter and complete landscaping or minor exterior modifications later, not to allow extended construction time. If the home is to be occupied before completion, then a completion schedule must be submitted before occupancy and the completion must comply with the schedule unless the ARB is notified of agreeable reasons in advance of completion dates. If completion lingers past scheduled completion dates the builder and homeowner may be subject to fines.
15. Encroachment: Homeowners and Approved Builders/Remodelers have the right to encroach after notification on a neighboring lot for scaffolding and access for building, maintenance and renovation on homes with only a 5 foot setback. The homeowner/builder is responsible for repairing any damage and putting the area back to its prior state.

## VII. Lot Setbacks



Note: Final house placement must be approved by the ARB. The ARB reserves the right to be more restrictive in regards to setbacks. Minimum setbacks are primarily for homes on smaller lots, like The Reserve. Typical setback is 30 feet from sidewalk. Houses must be set back in line relative to other homes. Refer to the final plat to determine setback and easement dimensions and locations. Some neighborhoods within Fairvue may vary from these typical setbacks. Golf course lots have a golf course easement that must be taken into consideration – any work contemplated in the golf course easement will require the approval of the Golf Course ownership group.



## VIII. Approved Builders

The following builders are approved to build homes in Fairvue Plantation

### **Approved Builders List for all areas of Fairvue Plantation:**

- |  |                                |
|--|--------------------------------|
| 1. Botsko Builders<br>237 Molly Walton Dr.<br>Hendersonville, TN 37075   | Mark Botsko<br>615-822-7448    |
| 2. Brian Harris Homes, LLC<br>180 N. Belvedere Dr. Suite 10<br>Gallatin, TN 37066  | Brian Harris<br>615-934-4660   |
| 3. Hughes-Edwards Homes<br>142 Ashland Pointe<br>Hendersonville, TN 37075  | Gene Hughes<br>615-824-9381    |
| 4. John H. Friedmann Construction<br>699 W. Main St, Ste 103<br>Hendersonville, TN 37075   | John Friedmann<br>615-822-8384 |
| 5. McPherson-Shaw Inc.<br>147 Maple Row Blvd., Suite 300<br>Hendersonville, TN 37075   | Bob Shaw<br>615-822-8020       |
| 6. Second Generation Construction, Inc.<br>PO Box 2931<br>Hendersonville, TN 37077   | Danny Guy<br>615-206-1500      |
| 7. Wallace Custom Builders<br>583 Baypoint Dr.<br>Gallatin, TN 37066   | James Wallace<br>615-330-9201  |
| 8. The Ernst Group LLC<br>Independent Franchise of Arthur Rutenberg Homes<br>133 Indian Lake Road, Suite 201<br>Hendersonville, TN 37075 | Steve Ernst<br>615-822-1727    |

### **Gracie Lake Specific Approved Builder:**

Blackman Builders Inc 100 Bluegrass Commons Blvd, Suite 310 Hendersonville, TN 37075	Matt Blackman 615-500-7260
--	-------------------------------

**Approved Remodelers for all of Fairvue Plantation:**

Richard Merryman Construction  
111 Akers Trail  
Gallatin TN 37066

Richard Merryman  
615-428-7762

Cross Driven Construction  
1558 Brinkley Branch Rd  
Hendersonville TN 37075  
[crossdrivenconstruction.com](http://crossdrivenconstruction.com)

Brandon Schell  
615.451.3982

Puryear Farms, Inc.  
1490 Cherokee Rd  
Gallatin, TN 37066

John Puryear  
615-452-8948

Jay Martin Construction  
245 Indian Lake Blvd  
Hendersonville TN 37075

Jay Martin  
615-506-3514

Swim World Pools  
211 W. Eastland St.  
Gallatin, TN 37066

Jay Tucker  
615-669-7665

The Porch Company  
628 Vernon Ave.  
Nashville, TN 37209

Nancy Moore  
615-662-2886

Madison Swimming Pool Co LLC  
1416 S Dickerson Rd  
Goodlettsville TN 37072

Kevin Taylor  
615-865-2964

Fox Pools  
780 W Main St  
Hendersonville TN  
[www.foxpoolsandspas.com](http://www.foxpoolsandspas.com)

Jeremy Cook  
615-824-1431

Shadeworks  
Hendersonville TN  
[www.awnsingsbyshadeworks.com](http://www.awnsingsbyshadeworks.com)

615-264-2121

Sunlight Designs LLC (patio enclosures, retractable screens)  
1050 Avondale  
Hendersonville, TN  
Email: [rickj4seasons@bellsouth.net](mailto:rickj4seasons@bellsouth.net)

Rick Jagers  
615-804-3009

## **Fairvue Plantation Approved Builder Program, Criteria and Builder Application Process**

In accordance with the Third Amendment to Declaration of Covenants and Restrictions for the Last Plantation – amended paragraph 9.1.5, the ARB has established the following criteria to be used to assess builders who apply to become part of the builders program in Fairvue Plantation. The criteria are meant to ensure that builders in Fairvue Plantation are capable of building according to the architectural design and builder guidelines and the HOA’s intent to maintain Fairvue Plantation as a premier subdivision in Middle Tennessee. To maintain quality and oversight, approved Home builders for Fairvue Plantation will be limited to not more than 10 active builders (completed a project within the previous 18 months) including conditionally approved builders (newly added to list to build two homes prior to inclusion as a fully approved builder). The ARB may separately approve builders for individual neighborhoods within Fairvue Plantation. The ARB has full discretion when determining a builder’s fit to be added to the approved list and is not required to provide reason for those applications that are rejected.

1. Builders will carry out the plans submitted to and approved by the ARB in a timely fashion. Any changes or delays must be communicated to the ARB. Builders are expected to be the primary conduit between the ARB and the homeowner and accurately convey all necessary information between the two.
2. All New Home builders must be licensed General Contractors in the State of Tennessee and in good standing with the HOA relative to financial obligations, additionally:
  - New Homes builders: must have a minimum monetary limit of \$1,500,000.00.
  - Approved Home addition builder/remodeler (exterior structure work only): must have a minimum monetary limit that covers the amount of the home addition.
  - New Homes builders on “grandfathered lots” (lots originally purchased before March 1, 2003): must have a minimum monetary limit that covers the amount of the new home or \$1,500,000, whichever is lower.

While the Covenants and Restrictions (C&R) do not designate “grandfathering”, as a courtesy the ARB has allowed owners of lots, which were purchased prior to the C&R Amendment establishing the Approved Builders program, to select a builder which is not on the Fairvue Approved Builder list. The ARB will continue this approach for the current owners of grandfathered lots. As of 3/1/2014, once the property transfers to a new owner, the new owner will be subject to the current ARB Design Guidelines regarding Approved Builders and the lot will no longer be considered to be grandfathered.

3. Builder should have a minimum of the 3 previous years experience building product in the quality, value and size of homes/additions contemplated and shall submit a list of their last five customers with respect to his/her building experience (bona fide references who are not family members). *Portfolio/Photos of completed residential projects (home for homebuilders, remodel jobs for remodelers) with addresses must be submitted*. Through references and reputation, the builder should be known to be of good character with high integrity in building quality homes/additions in the value and

size contemplated and meeting commitments during the building process and warranty period. A new homebuilder may obtain designation as an approved builder for all neighborhoods in Fairvue Plantation or may be approved only for specific areas or neighborhoods based upon prior record or experience.

4. Builder must show proof of general liability and workman's compensation insurance in an amount appropriate for the construction activity contemplated.
5. New Home Builder must have a proposed project (consistent with their approved status – new home for home builder or addition for remodeler) to begin within six months. New Home Builders must wholly own one additional lot in Fairvue Plantation. If a project does not start within six months of written notification of conditional approval, the builder will be removed from the approved list.
6. All qualified New Home Builders in this program will initially be conditionally approved to build up to two homes (for remodeler: complete two remodel projects). The status of the conditionally approved builder will be reviewed and reevaluated for full-approved status as an Approved Builder or Remodeler in Fairvue Plantation after two successful completions; though in the event of serious issues the ARB may revoke conditional approval after one completion.
7. Builder must complete the attached Fairvue Builder Application and appear in person before the ARB to be considered for inclusion in the builder program. The application must be accompanied by list of bona fide references, proof of insurance, proof of monetary limit, copy of current application to state, and pictures of homes built that support experience. It is recommended that the builder provide a portfolio of required documentation.
8. A licensed builder may be approved to build his/her personal home on lots purchased before 1/15/15 - upon approval of the Fairvue Architectural Review Board.
9. All new approved home builders will post \$25,000.00 in cash or a Bank Irrevocable Letter of Credit payable to the Fairvue Plantation Homeowners Association, Inc./Architectural Review Board in acceptable form to insure compliance with all Fairvue Plantation Homeowners Association/Architectural Review Board Covenants and Restrictions/Design Guidelines. The cash or Bank Letter of Credit will be negotiated or drawn upon only after a minimum of ten (10) days notice of deficiency or violation to the contractor with such contractor offered an opportunity to be heard upon such deficiency(s) or violation(s). The posting of \$25,000 will be required for any home built by newly approved builders during their conditionally approved period and for homebuilders on "grandfathered" lots. Once a builder moves to the approved builders list (for one time builders on "grandfathered lots", when occupancy license is secured), the balance of the \$25,000 will be returned/released to the builder.
10. At the discretion of the Fairvue Plantation Homeowners Association, Inc./Architectural Review Board, an inspector, may be hired to make inspections upon each residential construction project of conditionally approved builders and for homebuilders on "grandfathered" lots. The cost of this inspection shall be borne by the approved General Contractor and may be, to the extent necessary, assessed to the cash or Bank Letter of Credit required pursuant to Provision 8.

11. Once approved as a Builder for Fairvue Plantation, all Builders will need to resubmit their current license with monetary limit and proof of insurance annually.

12. Grounds for suspension and/or loss of approval status:

- Current license with monetary limit and proof of insurance that meet original criteria not on file will result in suspension of building privileges that will be reinstated upon receipt of said documents.
- Bankruptcy – filing of bankruptcy will automatically remove a builder from the approved builder list. Once out of bankruptcy, builder will need to reapply to become an approved builder in Fairvue Plantation.
- Repeated offenses of building guidelines as outlined in the builder fine policy.
- Repeated validated complaints from customers or residents brings into question the character and integrity of the builder in regards to building process, quality and warranty support. If the ARB determines that sufficient complaints have been received, the ARB will request that the builder appear before the board to answer complaints. If in the view of the ARB, the builder is unable to satisfactorily respond to complaints, the builder may be fined, suspended or removed from the builder program. The decision to fine, suspend or remove a builder is at the discretion of the ARB. Complaints to the ARB about a builder must be received in writing (to the ARB Chairperson), must be specific in nature (date, issue, and effort to remedy) and must be valid complaints. The ARB will not address individual complaints and will not act as arbitrator or mediator between a builder and customer. The ARB is looking for a pattern of behavior that shows the builder is not a fit for the neighborhood.
- Not an active builder – Builders who have not completed or are not in the process of completing a “project” (home for home builders, remodel for remodelers) in Fairvue Plantation within 18 months are considered inactive. The builder status of an inactive builder will be reviewed and the builder may or may not be removed from approved status at the discretion of the ARB based on activity, plans or other criteria determined by the ARB. Builders removed from the active builders list who were previously on the active list will be allowed to build homes on lots they owned prior to removal from the active builders list. A builder may be reinstated to the active builders list when space on the list is available and they reapply and are approved by the ARB.

13. BUILDER PROBATION In lieu of removing a builder from the Approved Builder list, they may suspended and be a Conditionally Approved Builder for the next 2 new homes meaning:

- A \$25,000 deposit will be required for each new home, which will be used if necessary to correct issues in accordance with the Design Guidelines, Builder Criteria.
- All 4 approvals (Foundation - Land Disturbance, Framing – Building Construction, Exterior Materials and Colors, and Landscaping and other(pools, decks, fence, etc.) must be obtained before the start of any new home construction land disturbance.

- Builder must be responsible for and take control of all work performed during the new home construction. While we understand the Builder may use subcontractors, the homeowner can not sub out work independent of the Builder without prior written approval from the ARB.
- Builder must perform their role of builder in being the main point of contact for the new home construction for the homeowner, explaining the Design Guidelines rules to the homeowner, obtaining answers for the homeowner and ensuring compliance.
- If issues are incurred during the first conditional new home then, Builder can be removed from the list without a second conditional new home.

The ARB reserves the right to be more or less restrictive depending on the infraction leading to the probation.

**Builder Fine Policy**

This policy outlines the progressive discipline process for all approved builders in Fairvue Plantation. This policy is intended to provide an incentive to maintain the standards outlined in the Design and Construction guidelines.

What constitutes an offense will be at the discretion of the ARB and will be provided in a letter to the offender. The offender will have the opportunity to come before the ARB to address their case before the offense becomes an official entry in the offender’s files.

First Offense	- - -	\$2,000 Fine
Second Offense	- - -	\$3,500 Fine
Third Offense	- - -	\$5,000 Fine
Fourth Offense	- - -	Written notice that the offender is no longer an approved builder in Fairvue Plantation.

Each offense will remain on the builder’s record for 24 months and then be removed.

Fines are due upon receipt with checks payable to Fairvue Plantation Homeowners Association, Inc. No new projects will be approved until payment is received. Any fine appeal must be made within 30 days of the fine. If a fine is not paid within 90 days of the fine date or appeal decision date, whichever is later, the builder will be removed from the Approved Builder list and no longer be considered to be in good standing.

Conditional builders who are assessed a fine can have their “compliance” cash, bond or letter of credit assessed for payment purposes.

The ARB reserves the right to require corrective action in addition to the fine.

## IX. Sign Regulations for Fairvue Plantation

Consistent with the Design Guidelines, Fairvue Plantation will adhere to a very strict sign regulation to maintain the pleasing aesthetics of the subdivision. All signs must be in compliance with the regulations listed below except as agreed to in writing by the ARB. All signs are the responsibility of the home/lot owner. Signage in common areas is not authorized and will be removed and destroyed, unless approved by the ARB as a special exception, such as HOA annual meeting notice signs.

Absolutely no signs are allowed at the entrance of Fairvue Plantation without ARB approval.

Absolutely no signs are allowed on the golf course.

### 1. Homes/Lots for Sale:

- a. Sign Location: all signs should face the street.
  - i. Homes for Sale: Between the mailbox and the curb cut or center of the yard
  - ii. Lots for Sale: 10 feet from the curb /center of the lot

Note: Only one sign is allowed for each property unless the property is on the lake. An authorized sign is allowed on the lake side of the property, not to exceed 36" by 21 ½" on a 5 foot post. Absolutely no signs are allowed on the golf course.

- b. Removal of Signs: All signs for homes or lots must be removed within 7 days after closing or occupancy.
- c. Sign Description: signs should be consistent with signs used through the neighborhood and can be obtained from your provider of choice. (For details, contact: Dam Signs & Graphics – 111 Stonewall Dr., Hendersonville, TN 37075, Phone: 615-826-9078, Fax: 615-822-4793 or Concept One Signs – 210 N. Locust Ave, Gallatin, TN 37066, Phone: 615-452-2900)
  - i. Size: signs are limited to 20" X 12" and should be on a post 36" high.
  - ii. Color: Signpost is to be dark brown. Sign will be done in dark brown lettering over a beige background. The Fairvue Logo is required in dark brown.
  - iii. Sign information: limited to-
    1. Builder/Agent Logo
    2. Agent Name
    3. Two Phone Numbers
    4. Lot Number
    5. "For Sale" is the only descriptive information allowed on a sign.
  - iv. Hangers: none allowed
  - v. Brochure boxes: clear brochure boxes attached to the back of the sign are allowed (must be maintained in good condition).

- d. Remodeling Signs: Signs advertising a remodel job can be displayed during the period of the remodel but must be removed when the construction is completed. The sign will adhere to the size, design and location regulations listed above for homes/lot for sales. Sign information will be limited to:
  - i. Builder Name/Logo
  - ii. Contact Name
  - iii. Two Phone Numbers
  - iv. Lot Number
  - v. "Remodel", "Upgrade", "Improvement" are the only descriptions allowed on the sign.

2. *Open House Signs:*

Open House signs are allowed with the following restrictions:

- Size: The sign cannot exceed 18" X 24" (no riders allowed)
- Color: Red letters with a white background
- Location: Shrubbery area near front door

Open House signs can only be displayed from 5pm on Friday through 6pm Sunday. One (1) Directional Open House sign may also be used during the hours of the open house but no direction sign may be displayed at the entrance to Fairvue Plantation. Directional signs should be no larger than 6" x 24", white with red lettering. All mid-week open houses must have prior approval. Builder's Model Homes may display Open House signs during the times they are staffed.

3. *Auction Signs:* all references are to the actual auction sign; directional signs are addressed in "e" below.

- a. Sign Location: middle of yard between home and street or same relative location on lot.  
Note: Only one sign is allowed for each property unless the property is on the lake. An authorized sign is allowed on the lakeside of the property.
- b. Installation of Signs: Sign can be installed no earlier than the Friday of the weekend before the auction, or 9 days in advance
- c. Removal of Signs: Auction sign will be removed at conclusion of auction.
- d. Sign Description:
  - i. Size: sign is limited to 2' wide x 3' high.
  - ii. Color: standard Fairvue brown colors
  - iii. Hangers: none allowed
  - iv. Brochure boxes: clear brochure boxes attached to the back of the sign are allowed (must be maintained in good condition).
- e. Directional signs are authorized on the day of the auction but no direction sign of any type may be displayed at the entrance to Fairvue Plantation.

Note: The use of a tent on the property is allowed but cannot be installed until the afternoon before the auction and must be removed the day of the auction. In no case can a tent be up longer than 24 hours.



4. *Security System Signs*: One security system sign can be displayed near the front entry.
5. *Political signs*: can be displayed in yards within two months of an election and must be taken down no later than one week after the election. Signs will be allowed at occupied homes only and are limited to one per candidate. Signs will be displayed in the front yard, between the sidewalk and home and will not exceed 3' by 2.5' in size.
6. *Beware of Dog signs* are allowed. They must be made of bronze looking material with gold color, such as those available at Home Depot for approximately \$50.
7. *No Trespassing signs*
  - a. are allowed on active new home construction sites.
  - b. are allowed for vacant lots & residential dwellings. No trespassing signs must be registered with the Gallatin Police Department in order for them to be enforceable by the GPD. These signs may be registered by going to the Police Department located at 130 W. Franklin Street, Gallatin, TN. *Only registered lots with 'No Trespassing' signs located on them can be responded to by the Police Department.*

Once property owner has been registered with GPD, owner is to notify the ARB of such, the approved No Trespassing sign can be obtained from: Dam Signs & Graphics, 111 Stonewall Dr, Hendersonville, TN 37075, phone: 615-826-9078, fax: 615-822-4793

Location of No Trespassing sign:

1/on vacant lot - 10 feet back from curb/center of the lot

2/on existing home lot –landscape area near front entry

Please email the community manager for a picture of the No Trespassing signage options & cost for your vacant lot or home.

8. NO Signs may be illuminated.
9. NO other signs will be allowed without ARB approval.

## **X. Appendices – Table of Contents**

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**Appendix A  
FAIRVUE PLANTATION HOA -**

**BUILDER / REMODELER APPLICATION**

Company Name \_\_\_\_\_

Company Form      Sole Proprietorship    Partnership    LLC    Corporation

Office Address \_\_\_\_\_

Mailing Address (if different) \_\_\_\_\_

Phone(s) # \_\_\_\_\_

Website, Email \_\_\_\_\_

Owner(s) \_\_\_\_\_

\_\_\_\_\_

License # \_\_\_\_\_ License Type(s) Held \_\_\_\_\_ License Amt \$ \_\_\_\_\_

Bonding Capacity \_\_\_\_\_

Bonding Company \_\_\_\_\_

Workman's Compensation Provider \_\_\_\_\_

Custom Residential Experience (Describe): \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

References w Addresses :

(see Fairvue Plantation Approved Builder Program, Criteria and Builder Application Process, Section 3, Page 34)

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Received By \_\_\_\_\_  
Community Manager for Fairvue Plantation HOA

\_\_\_\_\_  
Date

\_\_\_\_\_  
Officer's Signature, Fairvue Plantation ARB

\_\_\_\_\_  
Approval Date

*Execution of this Application includes agreement that the applicant has read and agrees to all provisions of the Fairvue Plantation Homeowners Association, Inc./Architectural Review Board Builder Criteria. Approved new home builder will post a \$25,000 irrevocable Bank Letter of Credit payable to the Fairvue Plantation Homeowners Inc. Association/Architectural Review Board in acceptable form to insure compliance with all Fairvue Plantation Homeowners Association/Architectural Review Board regulations during the period of construction. The Bank Letter of Credit will be negotiated or drawn or upon only after a minimum of ten (10) days notice of deficiency or violation to the contractor with such contractor offered an opportunity to be heard upon such deficiency(s) or violation(s).*

*Submittals for the Architectural Review Board will need to be received by the second Thursday of each month (one week before the meeting) to be reviewed at the monthly meeting. Please deliver to our Property Management Company. Meetings are held on the third Thursday of each month at 1:00 p.m. unless adjusted for holidays, etc. You will be given an appointment time for this meeting.*

**Appendix B – Boat Dock Standards and Boat Dock Application**  
(see Covenants and Restrictions Amendment 10)

**FAIRVUE STANDARD BOAT DOCK**

1. All aluminum structure 6061-T6 Alloy. 9" "E" Channel mainframe with 3/16" wall thickness. All main frames outside corners to have aluminum cast corners. Roof posts to be 3"x3"x1/8" minimum, a minimum of 8' in height and a maximum of 12' in height and thru bolted to the supports. Trusses to be 6" C channel 1/4" wall thickness, one-piece factory welded with collar tie. Purling to be 2"x2"x1/8" with end caps. All structural hardware to be stainless steel.
2. Walkway to be one-piece factory welded with handrails, hinged by 1 3/8" stainless steel pipe. Hinge to be welded on heavy wall hinge extrusion. Walkway to have 2"x2"x1/8" gussets on both sides, hinge to dock using same materials as main hinge.
3. Brazilian Ipe wood decking, Number 1 Grade. Stainless Steel screws.
4. Encapsulated, one-piece, roto mold, US Army Corp of Engineered approved floatation.
5. Roof pitches 2:1 and 26 gauge "E" Grade No. 1 quality. Color to be Burnished Slate.
6. Spud poles to be 3" schedule 40 hot dipped galvanized pipe. Spud pole collars will consist of 5" aluminum schedule 40 pipe welded to dock frame, telescoping collars to be made of 4" schedule 40 hot dipped galvanized pipe no less than 4' long.
7. The dock will be attached to the bank with concrete bank anchors and the walkway will be attached to the bank with a concrete pad (18" minimum thickness), where applicable.
8. All US Army Corps of Engineers Requirements and Specifications shall be met.

**CONTRACTOR REQUIREMENTS**

1. All boat dock builders must be a Licensed General Contractor, Licensed in the State of Tennessee, and provide proof if requested.
2. Contractors must provide proof of the following insurances:
  - Workers Compensation with Longshoreman Endorsement
  - Commercial General Liability
  - Commercial Automobile
3. Electrical and/or plumbing subcontractors must be licensed for their trade and carry the same insurance coverage listed above with the exception of the Longshoreman Endorsement.

**OTHER REQUIREMENTS**

1. All utilities to be located underground.
2. Any variance to the above listed standards will require a presentation to the Architectural Review Board.

**FAIRVUE PLANTATION  
ARCHITECTURAL REVIEW BOARD  
BOAT DOCK SUBMITTAL**

DATE \_\_\_\_\_

NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

LOT# \_\_\_\_\_

PHONE# \_\_\_\_\_ (home) \_\_\_\_\_ (cell)

EMAIL \_\_\_\_\_

Please check one:

FAIRVUE STANDARD BOAT DOCK

I will be building the Fairvue Standard Boat Dock as described in the Fairvue Boat Dock Guidelines. No presentation to the ARB is required.

Builder: \_\_\_\_\_

OTHER

I wish to build a boat dock as described below. I understand a presentation to the ARB and approval is required prior to starting construction. I will contact the Property Manager to make an appointment with the ARB.

*Signs are prohibited unless approved by the ARB,  
excluding the boat dock permit number.*

Builder: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

SIGNED \_\_\_\_\_

DATE \_\_\_\_\_

Appendix C – Upgrade Submittal Form

FAIRVUE PLANTATION ARCHITECTURAL REVIEW BOARD (A.R.B.)  
UPGRADE SUBMITTAL FORM

DATE: \_\_\_\_\_ Fairvue Lot# \_\_\_\_\_ (for new construction)

PROJECT ADDRESS: \_\_\_\_\_

**CHECK BOXES BELOW TO INDICATE NATURE OF UPGRADE:**

Fence     Landscaping     Flag Pole     Recreational Equipment     Other (awning, patio extension, etc)

PROJECT DESCRIPTION/INFO CAN BE WRITTEN HERE &/or can be included in email at submittal:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**FOLLOWING INFORMATION MUST BE SUBMITTED PRIOR TO REVIEW:**

- A.R.B. Upgrade Submittal with description of proposed upgrade required for all projects
- Site Plan w Property Dimension (when applicable, such as new builds, additions, fence install)
- Material list with description or link/brochure showing materials (when applicable)
- Plan drawing to scale with dimensions to the house and lot line (when applicable)

**The following information is required when applicable:**

- Landscaping** – Provide grading changes, retaining walls, fencing and lighting plan must be included if applicable. Provide plant list with sizes and location. Must denote any trees over 4” caliper to be removed. Perennial or annual plantings need no approval.
- Recreational Equipment** – Type, location, type of screening proposed and height must be included. Please include picture of product & area of install.
- Fences & Awnings** – Including the type, color and a picture of fence/gate style.  
*NOTE: For fence applications, it is REQUIRED that the property lines be located. The survey lot pins must be located and visible to the ARB representative during his/her site visit. If the applicant is unable to locate them then the lot must be surveyed and staked by a licensed surveyor.*

LOT INFORMATION:    Lake Lot \_\_\_\_\_    Golf Lot \_\_\_\_\_    Other \_\_\_\_\_

PROJECT START DATE: \_\_\_\_\_    PROJECT COMPLETION DATE: \_\_\_\_\_

By signing this application, you understand and agree to the time constraints below. These are exactly the same as noted on page 24 of the ARB Design Guidelines.

*Upgrades must be completed within 90 days of the written application approval. At the discretion of the ARB, this time frame can be reduced to 60 days if such project is considered simple and the shorter time frame is reasonable. IF the homeowner feels they need more time to complete their project, this should be noted in the initial application, along with the extenuating circumstances that will require the extra time. The final completion date requirement will be stipulated in the approval letter. Please note that the failure to complete the project within the stipulated time, can result in one or all of the following: fines, expiration/subsequent disapproval, forfeiture of deposits **and/or** disapproval of the request.*

**Landowner Information Required**

Name(s): \_\_\_\_\_

Current mailing address: \_\_\_\_\_

\_\_\_\_\_

Phone numbers: (home) \_\_\_\_\_

(work) \_\_\_\_\_

(mobile) \_\_\_\_\_

Email Address(es) \_\_\_\_\_

General Contractor (when applicable): \_\_\_\_\_

GC Address: \_\_\_\_\_

GC Email Address: \_\_\_\_\_

**I/we agree to be bound by and abide by the Covenants and Restrictions for the Fairvue Homeowner’s Association, Inc. and the associated Design Guidelines for Fairvue Plantation.**

Signature of General Contractor \_\_\_\_\_

**REQUIRED (when applicable)**

Signature of Home/Lot Owner \_\_\_\_\_

**REQUIRED**

**\*\* IMPORTANT \*\***

*\*Please submit all required docs via electronic version email to [kstinson@cmacommunities.com](mailto:kstinson@cmacommunities.com) in one PDF file, if possible. This ensures that project is uploaded legibly & submitted correctly to the ARB.*

*\*Please submit required ARB fees to:*

***Fairvue Plantation HOA***

***% Kay Stinson***

***1916 Patterson St, Suite 308***

***Nashville TN 37203***

***\*Please allow 30 days from complete plan submission for review prior to beginning construction. Fines can result from beginning a project before ARB approval is received.***



**Appendix D – Fairvue Plantation ARB Plan Submittal Form for  
New Construction and Additions**

Fairvue lot number and Address \_\_\_\_\_ Date: \_\_\_\_\_

**FAIRVUE PLANTATION  
ARCHITECTURAL REVIEW BOARD (A.R.B.) PLAN SUBMITTAL FORM**

**APPROPRIATE INFORMATION MUST BE SUBMITTED PRIOR TO PLAN REVIEW**

**Completed A.R.B. plan submittal form. Check all applicable with this submission:**

- APPROVAL # 1**      **Foundation - Land Disturbance**
  - APPROVAL # 2**      **Framing – Building Construction**
  - APPROVAL # 3**      **Exterior Materials and Colors**
  - APPROVAL # 4**      **Landscaping and other (pools, decks, fence, etc.)**
- Construction plans (two sets required) including:**  
    **All elevations with exterior finish materials noted.**  
    **All drawings must be to scale (e.g. 1/4" = 1').**  
    **Square footage clearly and accurately noted.**  
    **Detail drawings of deck layout/design.**
- Site plan (one plan required) must include driveway and walkway layout, patio locations, pool/deck locations and all building setbacks identified.**
- Exterior Materials, Colors, Etc. (one set required) must include description, brochures, links or samples. Samples to be presented by appointment at monthly meeting for review only.**
- Landscaping Plans (one set required) include trees over 4" caliper to be removed, plant list with sizes and locations.**
- Deck/Pool plan (one set required) if required**
- Other - \_\_\_\_\_**
- New Home: \$400.00 check payable to Fairvue Plantation HOA (Non-refundable)**
- Addition with Exterior Structure Change: \$200 check payable to Fairvue Plantation HOA (Non-refundable). Include but are not limited to - home addition, enclosing deck, etc. *If not using an Approved Builder, then a \$2000 deposit is required or to be determined by the ARB.***
- Addition without Exterior Structure Change: \$100 check payable to Fairvue Plantation Homeowners Assn., Inc. (Non-refundable). Include but are not limited to - work that requires excavation, pool, patio, retaining wall, outdoor living area, etc.**

*Note: All site plans, floor plans, elevations, renderings or similar must be drawn to scale in a CAD (Computer-aided Design) format or if hand drawn by a draftsman, Architect or other, must be extremely accurately drawn to scale. Elevations or 3D renderings may be requested by the ARB if deemed necessary.*

Landowner information: Name: \_\_\_\_\_

Fairvue Plantation - Lake Lot \_\_\_\_\_ Golf Lot \_\_\_\_\_ Other \_\_\_\_\_

Street address: \_\_\_\_\_

Current mailing address: \_\_\_\_\_  
\_\_\_\_\_

Phone numbers (home) \_\_\_\_\_ (work) \_\_\_\_\_

(mobile) \_\_\_\_\_ (other) \_\_\_\_\_

Email \_\_\_\_\_

**General Contractor:** \_\_\_\_\_

Address: \_\_\_\_\_

Phone # \_\_\_\_\_ E-Mail \_\_\_\_\_

Plan name: \_\_\_\_\_

Architect/Designer: \_\_\_\_\_

Main floor heated square footage: \_\_\_\_\_

Second floor heated square footage: \_\_\_\_\_

Basement heated square footage: \_\_\_\_\_

Bonus room heated square footage: \_\_\_\_\_

Additional heated square footage: \_\_\_\_\_

Total heated sq ft: \_\_\_\_\_

Future unfinished square footage: \_\_\_\_\_

Porches, etc square footage: \_\_\_\_\_

Garage square footage: \_\_\_\_\_

**Setbacks:** Garage: \_\_\_\_\_

House: \_\_\_\_\_

**CIRCLE SELECTION THAT APPLIED TO THIS PLAN:**

**EXTERIOR FINISH MATERIALS:**

Brick            Stone            EIFS/Stucco    Siding (type-\_\_\_\_\_)    Misc.\_\_\_\_\_

**EXTERIOR ELEVATIONS MUST BE FINISHED AS SHOWN ON PLANS INCLUDING BRICK DETAILS, EIFS DETAILS, STONE DETAILS, SIDING DETAILS, COLUMNS, SHUTTERS, LIMESTONE, CULTURED TRIM, ETC.**

**If not, accurately list any deviations for all elevations. Use separate page if necessary:**

**ROOFING STYLE:**

Dimensional            Tile            Three tab            Other \_\_\_\_\_

**WINDOWS:** (True divided, simulated true divided or interior muttons preferred.)

Wood            Aluminum            Clad            Vinyl            Other\_\_\_\_\_

**SOFFIT MATERIAL:**

Wood            Hardie-plank            Vinyl/Aluminum            Other\_\_\_\_\_

**GUTTER MATERIAL** \_\_\_\_\_

**EXTERIOR FIREPLACE CHASE** (Must be vented with veneered chase on outside wall elevations):

Brick            Stone            EIFS/Stucco    Siding (type-\_\_\_\_\_)    Other\_\_\_\_\_

**ENTRY STEP MATERIALS (Concrete/Aggregate steps are not permitted)**

Brick            Stone            Misc.\_\_\_\_\_

**DECK MATERIALS AND ELEVATIONS:**

Synthetic decking            Metal decking            Other\_\_\_\_\_

**FRONT PORCH/PATIO MATERIALS:**

Concrete            Aggregate            Stamped concrete            Brick  
Stone            Other\_\_\_\_\_

**BACK PORCH/PATIO MATERIALS:**

Concrete      Aggregate                      Stamped concrete      Brick      Stone

Other \_\_\_\_\_

**EXTERIOR BALUSTRADES / RAILINGS:** (Mark Front or Back)

Wrought iron \_\_\_\_\_ Cast iron \_\_\_\_\_ Wood \_\_\_\_\_ Fiberglass \_\_\_\_\_

**SHUTTERS** (must be operable or have appearance of being operable with hardware exposed):

Panel \_\_\_\_\_ Louvers \_\_\_\_\_ Plank \_\_\_\_\_ Other \_\_\_\_\_

**DRIVEWAY MATERIAL** (Asphalt not allowed):

Concrete (Coves only)      Aggregate      Stamped concrete      Brick      Stone

Pavers/Color \_\_\_\_\_ Vanderbilt Mix      Other \_\_\_\_\_

**(VILLAGE) - DRIVEWAY, PORCH & PATIO MATERIAL**

Must be Increte Sabal Gray Color Hardener (IN10-02380) stamped concrete with

Choice of three approved patterns:

\_\_\_\_\_ Increte Flower Rock Thinline (13950)

\_\_\_\_\_ Increte Notched Ashlar Slate (13931)

\_\_\_\_\_ Increte Olde English Slate (Random) (40044)

**(VILLAGE) - GUTTER MATERIAL** (Must be copper) \_\_\_\_\_

**(VILLAGE) - PORCHES & PATIOS:**

Concrete      Aggregate      Stamped concrete      Brick      Stone      Other \_\_\_\_\_

**EXTERIOR FINISH SELECTIONS - Please identify all that apply:**

ف Brick 1:      Name \_\_\_\_\_ Manufacturer \_\_\_\_\_ Style \_\_\_\_\_  
(Standard, Painted, Etc.)

ف Brick 2:      Name \_\_\_\_\_ Manufacturer \_\_\_\_\_ Style \_\_\_\_\_  
(Standard, Painted, Etc.)

ف Mortar:      Color \_\_\_\_\_ Style \_\_\_\_\_ (Standard, Weeping, Wash, Etc.)

ف Stone 1:      Color \_\_\_\_\_ Manufacturer \_\_\_\_\_ Style \_\_\_\_\_  
(Ledge, Rubble, River Rock, Etc.)

ف Stone 2:      Color \_\_\_\_\_ Manufacturer \_\_\_\_\_ Style \_\_\_\_\_  
(Ledge, Rubble, River Rock, Etc.)

٢ Roofing: Color \_\_\_\_\_ Manufacturer \_\_\_\_\_  
 ٢ Railings: Color \_\_\_\_\_ Manufacturer \_\_\_\_\_  
 ٢ Windows: Color \_\_\_\_\_ Manufacturer \_\_\_\_\_  
 ٢ Window Trim: Type \_\_\_\_\_ Color \_\_\_\_\_ Manufacturer \_\_\_\_\_  
 ٢ Overhangs/fascias: Color \_\_\_\_\_  
 ٢ Gutters &Downspouts: Color \_\_\_\_\_  
 ٢ EIFS: Color \_\_\_\_\_ Manufacturer \_\_\_\_\_  
 ٢ Siding: Color \_\_\_\_\_ Style \_\_\_\_\_  
 (Lap, Shake, Vertical, Etc.)  
 ٢ Shutters: Color \_\_\_\_\_  
 ٢ Garage Door: Color \_\_\_\_\_ Manufacturer \_\_\_\_\_  
 Style/Series \_\_\_\_\_

Submit picture for Approval 3 Exterior Materials and Colors

**Please list any additional finish materials, i.e. cast window/door surrounds, exterior timbers, columns, gable pediments, louvers, etc.**

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**I/we agree to be bound by and abide by the Covenants and Restrictions for the Fairvue Homeowner’s Association, Inc. and the associated Design Guidelines for Fairvue Plantation.**

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

**Home/Lot Owner** \_\_\_\_\_

**\*\*\*THE ARB MUST BE ADVISED & APPROVE ANY CHANGES TO THE EXTERIOR FINISHES AS LISTED ABOVE PRIOR TO COMMENCEMENT OF WORK.**

**Please allow 30 days from complete plan submission for review prior to beginning construction.**

*electronic version - email to [kstinson@cmacommunities.com](mailto:kstinson@cmacommunities.com)*

## **Appendix E – Fairvue Plantation Peninsula Standards**

- 1.** Pavers will be required for the sidewalk and the apron from the house side of the sidewalk to the street. The standard pavers will be Manufacturer - Belgard, Paver - Cambridge Cobble Low Country. Standard Fairvue curb cut is required.
- 2.** Only carriage style / decorative garage doors will be approved. High end alternative garage doors will be considered.
- 3.** Landscape lighting will be required, either soffit or ground lighting.
- 4.** The entire yard must be sodded with irrigation required.
- 5.** A minimum of three 4" caliper trees required on all front yards.
- 6.** Gas lights are encouraged.
- 7.** No wood decks or exposed pressure treated lumber will be approved, all must be wrapped showing no exposed wood.
- 8.** Roofing must be 30 year dimensional roofing as minimum.
- 9.** Chimneys must be brick, stone, EFIS or hard stucco.
- 10.** No vinyl windows will be approved unless a special exception is approved by the ARB.
- 11.** Only simulated divided or true divided light windows with an exterior grid 7/8" minimum will be approved unless a special exception is approved by the ARB.
- 12.** Interior lots to have uniform black perimeter fences. Pool fences that are not on the property line may be different. No chain link, wood or plastic will be permitted. Fencing cannot be of solid material. You must be able to see through it. Please review Fence Standards.
- 13.** Mailboxes will be the standard large Fairvue mailboxes.
- 14.** All homes must be a minimum of 4000 square feet or comparable to neighboring homes.

## Appendix F – Fairvue Plantation Gracie Lake Standards

Wednesday, June 29, 2011

### Gracie Lake Minimum Square Feet Requirements

(See interpretation of "Heated Square Feet" and "Finished Square Feet" below)

**Lake Front and/or Golf Course lots** (abutting golf course on the West Side of Jarman Private Way or Farrington Private Way) in the Gracie Lake community.

#### **Heated Square Feet:**

- Minimum of 3200 "heated square feet" identified and clearly shown on Construction plans

#### **Finished Heated Square Feet:**

- Minimum of 2700 "finished heated square feet" in all instances.
- First Floor Minimum of 1800 "finished heated square feet" in all instances (Basements are not considered First Floor).
- Bonus Room "finished heated square feet" may be included in above.

**Interior lots** (not abutting golf course on the West Side of Jarman Private Way or Falrington Private Way) in the Gracie Lake community;

#### **Heated Space:**

- Minimum of 2500 "heated square feet" identified and clearly shown on Construction plans

#### **Finished Heated Space;**

- Minimum of 2000 "finished heated square feet" in all instances.
- First Floor Minimum of 1400 "finished heated square feet" in all instances (Basements are not considered First Floor).
- Bonus Room "finished heated square feet" sq ft may be included in above.

#### **Heated Square Feet**

"Heated square feet" must have defined walkways, structural walls, floors and ceiling systems, plumbing, electrical and mechanical access, windows/dormers, etc in place for "Heated square feet" consideration. This space does not include garages, covered porches, two story areas, attic space in the center of the home or elsewhere which does not have defined walkway access, windows/dormers, etc. Gracie Lake Architectural Review Board has the right to approve or decline "Heated square feet" interpretations on an individual basis.

#### **Finished Heated Square Feet**

"Finished Heated square feet" is the square feet of the building that is climate controlled as opposed to the square feet under roof, which includes garage, porches and unfinished areas. "Finished Heated square feet" must be climate controlled prior to occupancy. Gracie Lake Architectural Review Board has the right to approve or decline "Finished Heated square feet" interpretations on an individual basis.

## Appendix G - Driveway Cut Dimensions

### DRIVEWAY RAMP (Required) FAIRVUE PLANTATION

This is the preliminary dimension for cutting curbs at Fairvue Plantation for your driveway. Please be sure that your contractor follows these instructions.

