

# Dockside Cove POA Architectural Committee

## Construction Standards and Rules Reference



### What to Expect When You Build or Live in Dockside Cove

Homes in the neighborhood will be custom built. Examples include luxury-custom, craftsman, farm/country estate, colonial, and southern traditional and others. A formal approval request must be made and approved prior to breaking ground or the commencement of any construction. Formal approval is only considered for Property Owners. Prospective Owners are encouraged to submit, design plans for conceptual approval consideration.

**Note** – the Dockside Cove POA Board (Board) and the Architectural Review Committee (ARC) are responsible for review and approval of all construction in the community. The ARC is the lead control mechanism, but the Board provides oversight of all ARC decisions.

**NOTE** – the guidelines enumerated below apply to both new construction projects and living in the community and are in line with our covenants.

**Any fines assessed**, as noted below, are payable immediately and are separate from any Refundable Construction Deposit. Failure to pay an assessed fine will result in the Final Clearance Letter being withheld until all fines have been paid.

A **mandatory Pre-Construction Meeting** will be held with the Property Owner, or their designated representative, and a member(s) of the ARC to review rules, expectations and construction plans. This is the time to present any questions that you may have so that no surprises occur later.

A **Final/Post Construction Checklist meeting** will be held with the Property Owner, or their designated representative, and a member(s) of the ARC to review the overall completed project and to complete a final checklist. Any item that is still in need of corrective action will be noted in writing to the Property owner so that it may be corrected and a Final Clearance Letter issued, and a refund made of any applicable Construction Deposit.

**At the Step 3 approval stage**, a Certificate of General Liability, with a minimum limit of \$1,000,000, naming Dockside Cove POA as an additional insured is required.

### Construction / Community Guidelines

- The Builder or Property Owner must designate a person to act as Site Manager. The Site Manager must visit the site regularly to ensure rules are being followed and the site is being kept clean during any week that active construction, material delivery, or equipment placement occurs.
- The ARC will assign 1-2 people for each project as main points of contact for the entire timeframe of the project.
- No burning of trash or construction material is permitted, per Hall County regulations and the Dockside Cove POA. **Any burning of trash or construction materials, and other unpermitted burning MAY result in a \$100 fine, determined at the discretion of the Board.** This prohibition does not apply to routine burning of yard limbs and such which may collect on a property owner's lot, so long as the burning

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is contained within a properly constructed fire ring/fire pit and monitored. **This rule is established to reduce the chance for an uncontrolled fire to occur or spread to neighboring properties.**

- Your property must have a designated cleanout area for concrete trucks. Absolutely no cleanout is allowed on any lot or the community property within the Dockside Cove Community other than your own lot. Any concrete cleanout done on property other than that of the property owner **MAY result in a \$50 fine, determined at the discretion of the Board,** AND a requirement to clean up the concrete and repair any damage to the satisfaction of the Board and/or the other property owner.
- Gate codes will be assigned for each construction project and will expire at the completion of the project, or at twelve (12) months, whichever is sooner.
- The construction of accessory buildings or garages prior to construction of the main home is prohibited.
- Parking or storing large construction equipment, including but not limited to bobcats, backhoes, tractors, trailers, and trucks, is not permitted beyond seven (7) calendar days without written permission of the ARC/Board. No moving in and out of such equipment, to circumvent the 7-day period is permitted. No RVs or camping is permitted prior to or during the construction process.
- Construction signs are permitted, but the sign must be no larger than 24" x 24" size with professional lettering and production. All signs must be removed within thirty (30) days after completion.
- Trucks and other large vehicles must make every reasonable effort to not drive through the length of the neighborhood. This rule is for the general safety of the people in the community, pets, visitors, and the protection of the roads.
- Large vehicles and equipment must not obstruct roadways, so as to allow for clearance of normal vehicle traffic.
- Construction activity is permitted from dawn to dusk only, Monday to Saturday. Work activity is permitted on Saturdays; however, contractors must refrain from using any loud equipment or tools prior to 9:00 AM. **No work activity of any type is permitted on Sundays.**
- All jobsites shall be maintained on a daily basis and kept free of excessive debris and/or trash. Utilization of a roll-off or similar waste container is suggested. Dirt, clay, cement and other debris in the roadway or on the sidewalks must be cleaned appropriately within 48 hours of occurrence.
- Loud music is not permitted at any time. The Board or ARC will be the sole determiner of what is considered "loud music".
- The Board or ARC reserve the right to perform formal inspections of the jobsite prior to, during and at final completion of the project. The Board/ARC will try to provide a 24-hour notice to the Property Owner prior to any inspection, but some situations will prevent such notice, such as an emergency or one requiring urgent attention. Periodic informal walk-thru of the construction site by ARC or Board members may occur periodically to assess the status of a project and adherence to construction rules and procedures.
- The Property Owner is responsible for the actions of their General Contractor and all subcontractors and vendors.
- Near the end of the project, an assigned member of the ARC will perform a Final Checklist walkthrough of the project to ensure compliance with the building/construction guidelines, and before any Refundable Construction Deposit may be returned to the Property Owner.

### Lot/Site Preparation and Construction

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- Start of Construction for the purpose of building within the Dockside Cove community is defined as having submitted and received approval for Step 3 Clear to Start/Frame, which then allows for site clearing, foresting of trees, grading of land, slab and foundation preparation, and framing.
- A site survey must be completed prior to any construction with the property lines and corners clearly marked.
- Breaking ground, tree clearing, or land disturbance prior to the POA Board receiving the required \$5,000 Impact Fee and the \$5,000 Refundable Deposit is strictly prohibited **and will result in a \$5,000 fine payable before any further construction is approved.**
- Burning of trees, brush or other debris is not an allowed method for lot clearing, site preparation, construction maintenance and is strictly prohibited; **doing so will automatically result in a \$500 non-refundable fine, payable before any further construction is approved.**
- **Breaking ground prior to the ARC Step 3 “Clear to Start/Frame” approval being issued, is strictly prohibited.** Breaking ground, tree clearing, or land disturbance, without a building permit and water meter receipt is not allowed. “Site development” permits are not acceptable. **Failure to adhere to this requirement will result in a \$5,000 non-refundable fine.**
- Any clearing or unallowed disturbance of Conservation or buffer areas, as designated on the Dockside Cove Plat & Soils document, unless approved in advance and in writing by Hall County **and** the Dockside Cove POA Board, will result in a **\$2,500 fine** for the first offense and **may** cause future approvals to be denied. Such clearing or disturbances may also require remediation to be done to the satisfaction of Hall County and/or the Dockside Cove POA Board. Repeated clearing or disturbances, after having been verbally warned (or warned in writing) by the Board or ARC, will result in a **daily fine of \$50** until the resulting damage has been remedied to the satisfaction of the Board.
- The water meter is required to be installed prior to any foundation construction.
- You are restricted to your property for all construction, lot preparation and other construction matters. You are expressly prohibited from encroaching on a neighboring property for any purpose, including construction and vehicle equipment movement, material and/or debris storage, unless written permission from the other Property Owner has been obtained in writing, and proof of such has been provided to the Board/ARC. Failure to adhere to this requirement **MAY result in a fine**, to be determined at the sole discretion of the Board.
- Your property must have sufficient gravel and/or crusher run for a temporary drive to minimize the amount of dirt and mud on the street and sidewalk (this material must also be placed in the space between the road and sidewalk). All construction/delivery vehicles should be parked on the gravel and/or street. Parking is allowed elsewhere on the lot, if space permits and it does not create a hazard, or if it is necessary for a specific construction activity.
- Silt fencing and/or other controls **MUST** be installed to control erosion and runoff from your construction site onto neighboring properties, common areas, roadways and sidewalks. **An Erosion Control Plan must be provided to the ARC as mentioned in our Step Form and failure to have the Erosion Control Plan in place before any site clearing/land disturbance begins will result in a \$500 non-refundable fine.** *If it is not fully possible to control runoff to the roadways due to the layout of the lot, the Property Owner is responsible to clean and remove any dirt/mud or other debris that might flow onto the sidewalk and roadways following any rain AND erosion socks must be placed at nearby sewer inlets in advance*

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*of any construction activity to prevent runoff to nearby lakes and streams.* Erosion control socks used at sewer inlets must fully protect the inlet opening.

- Transferring dirt or materials from one lot to another is prohibited unless explicitly approved by the ARC or Board, AND the other Property Owner has given written permission.
- The Property Owner and Builder commit to maintaining clean roadways, including but not limited to clean up or pressure washing of dirt/mud within 48 hours of the streets being dirtied, or following notification by the ARC or Board. **If this issue is not rectified within this timeframe, a fine of \$50 per day will be imposed against the Property Owner. If the issue is not corrected within Seven (7) calendar days, the Board may elect “self-help” to correct the issue and all costs, plus an additional \$250 fine will be assessed to the Property Owner.**
- Bulldozers, skid-steers, backhoes, excavators, small wheeled mofettes, or other similar construction equipment, with or without tracks, are NOT allowed on the roadways. All such equipment must be loaded, unloaded, and/or run/operated on the Property Owner’s property and not on the road or sidewalk. This is essential to maintaining the integrity of our roads. *If this is not possible, such as during the unloading of construction supplies, it is the Property Owner’s responsibility to ensure that protective pads or other measures are used on the roadway to prevent any damage to the roads.* **Any observed (documented) violation of this rule WILL result in a \$250 fine against the Property Owner.**
- All sidewalks, storm drains, and curbs for the property must be pressure washed at the end of the construction project to the satisfaction and discretion of the ARC/Board, before a CO or closing letter is issued. Commercially appropriate bleach or other cleaners may be needed. The ARC/Board reserves the right to require additional, periodic pressure washing to ensure a consistent clean look for the community on an on-going basis.
- Any damaged or broken/cracked sidewalk, storm drain, curb, or road area must be repaired at the expense of the Property Owner, to the satisfaction and discretion of the ARC/Board, before a CO or closing letter is issued. **Failure to make the necessary repairs will result in a \$100 fine per item and \$50 per day until fixed and MAY, at the sole discretion of the Board, also result in a loss of part or the entire Refundable Construction Deposit. Failure to make the necessary repairs will delay issuance of the final Clearance Letter.**
- A Porta Potty or similar structure must be provided on site for use by construction personnel. It is the Property Owners’ responsibility to ensure this structure is safely placed to prevent injury to anyone using the equipment, and that it is properly secured to prevent it being blown over by high winds.

### **Exterior Siding Material**

- Allowed materials include brick, stone, fiber cement (such as Hardie Plank) or better.
- No vinyl siding, aluminum siding, stucco, exterior asphalt/asbestos siding, plastic, cobble or creek stone shall be used.

### **Foundation specifics**

- Concrete slabs poured concrete walls are acceptable. Cinder block foundations or homes on stilts/pilings are not allowed.
- Crawl spaces should be atop a poured concrete foundation. Exposed foundation walls must be painted to match the house or covered with a siding such as brick or stone.

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- Modular homes are not permitted. Homes must be “site-built”.

### **Roofing Material**

- Asphalt shingles shall be of a thirty (30) year or better architectural style. Three-tab shingles are not allowed.
- Metal or wood shingle/shakes, clay or concrete tile, slate shingles, synthetic (rubber) slate tile will be reviewed and considered on a case-by-case basis.
- Metal roofing will be considered on a home-by-home basis and the design, color scheme and method of securing to the home must be approved prior to installation.
  - Copper is not allowed unless it is the intention for the copper to be color coated.
  - Copper gutters will be considered on a case-by-case basis.
  - Metal roofing color should be a powder coated or anodized 30 year or better-quality product. Metal roofing is not to be painted.
  - Metal roofing shall be of a concealed fastener type. Exposed fastener versions are not allowed.

### **Minimum Heated/Cooled Square Footage**

- All residences constructed within the community shall have an above grade minimum square footage requirement of 2,000 square feet of livable heated/cooled floor space, except for Lots 25-46 which shall have a minimum of 3,000 square feet of heated/cooled floor space.
  - Heated floor space is considered to be livable square footage above grade. Basements or terrace levels are, by definition, below grade and will not count in the square footage requirement. Garages also are not considered livable space; however, finished & heated rooms above a garage will be included in the square footage requirement if the space is directly accessible from the heated space of the residence.

### **Yards/Landscaping:**

- Landscaping plans must be submitted for approval along with design plans during new construction. The preliminary landscape plan is required in Step 2 with the final plan due with Step 4.
- Warm season grass sod is the standard for front and side yards. All “devil strips” between the sidewalk and curb are required to have sod installed to match the main yard.
  - NOTE - The Board reserves the right to enforce this requirement on any/all lots within the community at any time despite the ARC guidelines in effect on the original date of construction. The Board may allocate costs for compliance with this requirement back to the current owner.
- Landscaping plans should have an appropriate mixture of sod, garden beds, shrubs, and trees to provide a balanced view for the property.
  - Shrubs and trees should be selected which are identified to be deer resistant due to the high deer population in the community.

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- Arborvitae shrubs/trees installed in front and side yards are not permitted and will not be approved due to the frequent decimation by the deer in our community. The only exception to this rule is if the yard area in front of the Arborvitae is fully fenced to limit deer access.
- Permanent hardscapes or water features in the front, back or side yards, such as retaining walls requiring permits, firepits, pools, fountains, and patios must be submitted for approval. Refer to separate guides for further information.

### Driveways

- Dirt, gravel, crushed stone, asphalt or similar driveways are not allowed. Driveways should be suitable material such as concrete, pavers, or brick.
- Driveways and walkways must fall inside the rear and side lot setbacks as required by the covenants and/or Hall County. Side setbacks are a minimum of 10' and run from the street.
- The style of the driveway finish must be included in the submission for approval (i.e. smooth, broomed, stamped, stained, pebble, exposed aggregate, sponge, salt, paver, etc).

### Garages/Carports

- All homes in the community are required to have at least a 2-car attached garage.
- Garages and accessory buildings are required to have a similar look, feel, color scheme, and design to that of the main home, and must be connected to the main home with at least a covered breezeway (completely detached garages will be treated separately as accessory buildings).
- Carports are not permitted.

### Home Colors and Design

- Formal ARC/Board approval is required for all exterior home colors and design. The ARC does not permit substantially similar color schemes next to or in close proximity to other existing homes.
- Home designs that contain duplicative or like-kind plans or layouts for exterior designs are generally not allowed.
- The following must be provided to get ARC/Board review and final approval of home colors and designs:
  - A **color sample board must be included** with the submission for all exterior colors (i.e. siding, trim, window framing, doors, etc.).
  - An elevation sheet with specific colors clearly indicating where all colors are to be used, including all trim, garage doors, and other door colors/finishes.
  - The house submission should also include a list of exterior finish and roofing materials, as well as window styling. Descriptions are acceptable for commonly used materials such as brick, stone, and shingles. Colors and/or types of stone/brick must be provided with a sample or link to the vendor's product site.
  - Roofing, stone, brick etc. and other parts of the house should be compatible with the house colors.

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- Exterior permanent lighting layouts (with the exception of low voltage landscape, and short-term/seasonal lighting) should be described in the architectural plan or submission. Flood/security lighting being installed is required to have motion activation or other means of preventing a constant-on state.
- **Painting a house a color different than that approved by the ARC, or without ARC approval, WILL result in an initial \$500 non-refundable fine, PLUS \$25 per day until corrected, up to a maximum of \$5,000. It may also lead to the forfeiture of all or part of the Refundable Construction Deposit.**

### Accessory Buildings

- Erection of an accessory building requires the approval of the ARC.

### Satellite Dishes and Antenna

- Satellite dishes shall be limited in size. It is preferred to be mounted at the rear of the primary structure, or out of sight from the street or neighboring properties, unless reception prohibits it being so positioned. Generally, a satellite dish may be no larger than three (3) feet in diameter. Standalone mounting of satellite dishes or antennas is not preferred. Exterior aerial antennas are generally not permitted but may be considered by the Board upon request by the Property Owner.

### Trash and Trash Containers

- Construction trash needs to be placed in roll-off type waste containers, dump trailers, or similar. The roll-off delivery truck must keep tires and the container's small wheels off of the roadway and sidewalks when loading/unloading to prevent damage
  - If the site layout is such where a roll-off type waste container cannot be loaded/unloaded without being done on the roadway/sidewalk, it is the **property owner's responsibility** to ensure that protective measures (such as boards/pads) are taken to keep the wheels and containers from damaging the roadway.
- Failure to adhere to this policy will result in a **\$500 fine** for each documented violation.

### Pools

- Pools will require separate detailed design information to be submitted to the ARC for review and approval. However, the general location and plan for a pool should be included with the initial construction submission to avoid any possible surprises of non-approval.
- Pools shall be in-ground only and not located in front of a home.
- Pools generally should be installed to the rear of a home.

### Fencing, Gates, Hedges and Landscaping

- Refer to the detailed requirements in the separate Dockside Cove Fence Guidelines document.
- All fencing, gates and hedges must be approved by the ARC prior to installation. **Installation of any fence or driveway gate that has not been approved in writing by the ARC and/or Board WILL**

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**result in an initial \$500 non-refundable fine, PLUS \$25 per day until corrected, up to a maximum of \$5,000. It may also lead to the forfeiture of all or part of the Refundable Construction Deposit.**

### Fines, Penalties and Fees

- **It is the desire of the Board and ARC that fines will never have to be assessed against a Property Owner;** however, situations will arise on purpose or by accident that will necessitate the Board and/or ARC being forced to assess a fine(s).
- It is the responsibility of the Property Owner and Builder to abide by all Community and ARC guidelines, rules, and regulations, and to abide by all conditions of the approval(s). **Property owner(s) need to communicate to their builders and other vendors about the requirements and restrictions of Dockside Cove POA as any enforcement action and fines will fall on the property owner(s).**
- Failure to seek or abide by an approval **WILL** result in action by the Board and/or ARC to assess fines and fees or the Property Owner. Fines and fees may be assessed on an ongoing basis until approval is requested and granted. If the Property Owner is in violation of standards or the approval process, they must submit a plan to remedy the violation to the Board and notify the ARC when the corrective action is complete, and the violation corrected.
- **Should a Property Owner fail to correct an issue that results in a withholding of the Final Clearance Letter and/or the Dockside Cove POA is forced to seek legal remedy, the Property Owner will be held liable for any and all legal expenses incurred by Dockside Cove POA or its officers and Board or ARC members, while attempting resolution of the issue. Any such legal fees incurred will be over and above any fines, and Refundable Construction Deposits may be fully or partially forfeited by the Property Owner.**
- Failure to abide by the rules and guidelines detailed in this document and all other Community Covenants or ARC documentation may result in rejection and non-approval of the submission, non-approval of a builder/contractor to construct homes in the community, the forfeiture of some of all of the Refundable Construction Deposit, loss of access to and use of common areas, inability to participate in POA votes and legal action if necessary. Fines and fees are necessary to maintain the safety, cleanliness, and style of the community.
- The Board may, but is not obligated to, elect “self-help” to correct issues and violations if the Property Owner has not addressed/responded to or corrected an issue or violation within 72 hours, or they have not notified the Board of a plan and time frame to correct the issue. **If the Board elects “self-help” to address the issue, all costs plus a fine of \$250 (unless otherwise noted above) will be assessed to the Property Owner.**
- **All fines must be paid prior to the final Clearance Letter being issued. The Board reserves the right to file a lien against the property if any fines or violations remain unresolved.**

### Appeal

- If the ARC does not approve all or any part of your submittal, or if you are assessed an appealable fine, you may appeal it to the Board as follows:
- All appeals shall be made in writing, delivered to the Board within 30 calendar days after receipt of the ARC’s decision. No particular form is required to appeal, but the appeal must reasonably describe

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the portion of the ARC decision with which you are dissatisfied. **If no appeal of the ARC's decision is submitted within the 30-day period, the ARC's decision will be final, and no further appeals may be made.**

- Upon receipt of an appeal, the Board shall notify the Property Owner, the ARC, and all Board members of the date of the Board meeting when the appeal will be heard, provided that such meeting shall not be held more than 45 calendar days after receipt of the appeal. The Board shall deliver copies of the appeal to each Board member before the meeting.
- At the Board meeting, the Property Owner and the ARC may present such evidence as deemed appropriate to support their respective positions that the proposed submittal does or does not comply with guidelines, or that the fine is warranted. After the conclusion of such presentations the Board shall either approve the ARC's non-approval of the submission, revise or reverse the non-approval, or The Board may leave in place the fine or modify the fine, provided that a change in the ARC's decision requires an affirmative vote by a majority of the Board. The decision of the Board shall be noted in the Board's minutes and on the ARC submission documents. **The Board's decision is final.**

### Severability

- If any provision of this Document shall be held or made invalid by a court decision, statute or rule, or shall be otherwise rendered invalid, the remainder of this Document shall not be affected thereby.

Builder Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Builder Contact Number: \_\_\_\_\_

ARC Lead Member Signature: \_\_\_\_\_ Date: \_\_\_\_\_

ARC Lead Member Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Signature/Initial of Property Owner: \_\_\_\_\_

Date: \_\_\_\_\_