



NOTICE REGARDING COVENANTS AND/OR RESTRICTIONS

The following Covenants and/or Restrictions are added as a courtesy only and are NOT WARRANTED by the property owner, their broker or agent as to completeness, accuracy, currency, or enforceability. Any interested buyer prospect is urged as part of their due diligence to contact the relevant Community Association or developer to determine for themselves what covenants and/or restrictions currently apply, how long they may remain in force, and if any changes or amendments may be currently under consideration. Additionally, or alternatively, one may wish to consider hiring an attorney to conduct this search for them and provide advice as needed.

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Bk 01349 Pg 0489-0495

JENNIFER JORDAN
Clerk Superior Court, PICKENS County, Ga.
Bk 01181 Pg 0784-0790

Justin Power Clerk of Court
Dawson County

-----[SPACE ABOVE RESERVED FOR RECORDING DATA]-----

Return to: Burnt Mountain Estates Association, Inc.
Attn: Francis G. Clark, Jr., Secretary/Treasurer
1688 Doncaster Dr., NE
Atlanta, Georgia 30309-2640

**STATE OF GEORGIA
COUNTIES OF PICKENS AND DAWSON**

Burnt Mountain Estates Association, Inc.

Architectural Guidelines

Created by the Burnt Mountain Estates Association, Inc. (BMEA), Architectural Control Committee (ACC) dated 9/1/03; revised 9/26/06; revised 5/01/19.

Reference: Article VI, Architectural Standards, AMENDED AND RESTATED DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR BURNT MOUNTAIN ESTATES (Filed for record, Pickens County Clerk's Office, Superior Court, 2:08 PM, 10-17-03, and recorded in Deed Book 551, Pages 1-66, October 21, 2003 and Dawson County Clerk's Office, Superior Court, 12:30 PM, 10-20-03, and recorded in Deed Book 557, Pages 168-233, October 20, 2003.)

Planning a New House or an Addition or Modification to an Existing House, including projects performed by the property owner

At the beginning of the property owner's house or project planning, the property owner should telephone or email the Chairman of the Architectural Control Committee, to discuss in general the type of project proposed. The purpose of this call is to insure the project, in general, is going to be within the guidelines. It also will protect a property owner from spending time and money creating a design or beginning a project which may require expensive modifications to redo it to make it acceptable to the ACC Guidelines.

The Chairman of the Architectural Control Committee is:

William C. Charvat, Architect
413 Balmoral Road
Winter Park, Florida 32789

Florida Home Phone: 407-645-0944

Florida Office Phone: 407-644-2656

Cell Phone: 407-760-0237

Burnt Mtn Phone: 706-265-4396

e-mail Charvat@HHCP.com

Architectural Control Committee

The Architectural Control Committee (ACC) is Chairman of the Architectural Control Committee, the Association President, and the neighborhood Director, where the construction is to be located and others as may be appointed by the Association board of directors.

Submittal of Proposed Project to the Architectural Control Committee

The type of project proposed will dictate the submittal requirements. If the project is simply to re-roof the house with standing seam metal roofing, using an earth tone color, a verbal approval may be all that is required. A new house or addition will require drawings. It is important to understand that drawings will also be required for a building permit from either Pickens or Dawson Counties. Smaller projects such as adding fences, re-furbishing driveways, adding a propane tank, well or septic tank to an existing home, can be approved by the neighborhood director.

It is the property owner's responsibility to obtain from the County all their current building permit requirements. Their requirements for type of drawings, scale of drawings, preparation by a registered Surveyor, Architect & Engineers, as well as the use of a licensed Contractor must be followed. The ACC has no responsibility to verify codes, engineering, life safety, or regulatory requirements for the proposed construction. The ACC review is only for compliance with BMEA Covenants & Guidelines which, in general, are requirements for use, size, building location, type of materials and overall aesthetic image as it relates to: 1) the immediate neighbor; 2) the mountain neighborhood; and 3) our total mountain community.

1. Drawing Requirements

1.1 **Site Plan:** Showing the house or project and the portion of the site affected. Property lines, a north arrow, access road, the house or addition, fences, storage tanks, air conditioning units, septic tank and drainage field, power and telephone service access should all be shown. The drawing needs to be to a minimum scale of 1"=20'-0".

1.1.1 Setbacks of structures from property line and road shall be as per county requirements. In absence of setback requirement, setback shall be a minimum of 15' from property lines and 15' from road edges.

1.2 **Floor Plans:** All floors, lofts or levels are to be shown at a minimum scale of 1/8" = 1'-0" (1/4" = 1'-0" is typical for residential projects).

1.3 **Elevations:** Showing all sides of the project with door, window and building material types and colors noted. Scale to match floor plans.

1.4 **Typical Section:** Showing the type of material proposed for exterior wall/ roof construction. Minimum scale 3/8" = 1'-0" (3/4" scale is typical for residential projects).

1.5 **No Specifications Manual is Required:** Color, material and feature notes on the drawing are sufficient.

1.6 **One set of the proposed drawings needs to be mailed to the Chairman of the ACC:** Copies as required (at no cost to the Homeowner) will be made by the Chairman for distribution to other committee members. One copy will be returned to the Homeowner.

2. Other Requirements

2.1 **Contact Information:** The name, address and telephone numbers of your Designer or Architect, Engineers and Contractors shall be provided. If the project is done by the property owner, the same contact information is required.

2.2 **Time Schedule:** The proposed time schedule for construction needs to be included. This includes the planned start and completion dates **(the BMEA ACC discourages major construction during December – March since weather problems cause our roads to deteriorate under the loads of heavy concrete, gravel or delivery trucks).**

2.3 **Impact Fees:** Prior to construction starting, an impact fee will be required. **However, it is the property owner's responsibility to repair damage to our paved roads or reconstruct, as necessary, our gravel roads to a condition similar to what existed prior to construction. Damage to gates, signs, drainage ditches, culverts or trees will also be the responsibility of the property owner.** The cost of these types of repairs is in addition to the impact fee. In addition, damage to other member's property will be the responsibility of the property owner whose construction project caused said damage. At the end of construction, or as required during construction, to keep a bad problem from getting worse, repairs need to be coordinated by the property owner. This includes finding and contracting with a Contractor to make the repairs. The ACC shall be notified prior to making repairs with a description of work to be done, the Contractor doing the work, and a proposed schedule. It will be the responsibility of the property owner to notify, as appropriate, affected neighbors.

4. **Schedule of Impact Fees**

(No part of the impact fee is intended for repair of any damage done as related to the construction or installation of ancillary items.)

- **New Construction:**
The fee will be \$1.00 per square foot of living space including basements and basement garages. Decks will be \$.50 per square foot. This fee includes the installation of the septic tank; water well, propane tank installation, driveways and the like.
- **Additions to Existing Structures: (including additional rooms, garages, etc.)**
The fee will be \$1.00 per square foot. Decks or additions to decks will be \$.50 per square foot.
- **Digging a water well (at an existing dwelling):**
Flat fee of \$150.00.
- **Installation of Septic System**
Flat fee of \$150.00.
- **Delivery and Installation of Propane Tank (s) (200 gal and over)**
Underground installation of tank – flat fee of \$100.00.
Surface installation of tank – flat fee of \$50.00.
- **Landscaping Equipment (Bobcats, etc.) and Delivery Trucks (larger than a pick up truck) including delivery of materials for projects performed by the property owner.**
Flat fee of \$75.00

- **Paving or revamping a driveway at an existing home (concrete, blacktop, or grading and adding gravel or stone.)**

Flat fee of \$100.00

- **Demolition Fees**

Fees for the demolition and/or debris removal of a damaged structure shall be as follows:

Destruction or Damage by Fire: One-half of the current square footage rate established by the ACC for the construction of a structure, decking and accessory buildings. Square footage will be based on county tax records.

Destruction or Damage by Natural Disaster: One-half of the current square footage rate established by the ACC for the construction of a structure, decking and accessory buildings. Square footage will be based on county tax records.

These fees may altered from time to time as new situations occur, but every effort will be made to be fair, consistent and impartial in the assessment of impact fees.

5. Use and Collection of Impact Fees

The fees derived from these impact assessments shall go into the funds for each neighborhood, where the construction is located and or construction vehicle access is required. The annual assessments for each neighborhood are set to cover the costs of repairs caused by routine and normal wear and tear. However, when "extra-ordinary" stress is placed on the roads (gravel or hard surface) by large vehicles such as construction equipment, earth moving equipment, etc., extra stress is placed on the roads, gate openers, etc. The damage from this use of "heavy equipment" may not be visible for some years to come. The intention of Impact Fees is certainly not to discourage construction or improvements, but to place the burden of "above normal" wear and tear on those who create the unseen damage and protect those who have invested in our development in the past.

Any member of the Architectural Control Committee (the Chairman of the Architectural Control Committee (ACC), the Association President, and / or the neighborhood Director, where the construction is to be located) shall notify the Secretary /Treasurer, who will then invoice the owner in the amounts as prescribed below.

The Secretary/Treasurer shall be notified upon approval of the plans or no later than prior to construction date. From the time of billing, the property owner shall have 60 days to pay the billed impact fee.

It is the ultimate responsibility of the property owner in Burnt Mountain Estates to be responsible for impact fees when construction or any of the installations enumerated above are undertaken. Contacting the neighborhood director or any officer or director (see www.burntmountainstates.com) will provide actions to be taken. In the event projects are undertaken or completed without contacting an Association representative, impacts fees will be imposed and the Board of Directors may impose penalties, late fees and place a lien on the property.

3. **Acceptable Materials**

- 3.1 Predominate use of wood and stone using earth tone colors is desirable.
 - 3.1.1 Stucco, brick or metal houses (including pre-engineered metal houses, garages or storage buildings) are not acceptable.
 - 3.1.2 Houses painted white are not acceptable.
- 3.2 Log homes or use of vertical or horizontal siding is acceptable. Use of shake siding is also acceptable.
- 3.3 Materials that have the appearance of wood but are not wood can be used.
- 3.4 Use of railroad ties for other than house construction is acceptable. Acceptable uses include: retaining walls, driveway edging, planters, etc.
- 3.5 Deck construction is required to be made out of pressure treated wood. 6" x 6" posts in lieu of 4" x 4" posts set on concrete footer to keep the bottom of the post away from moisture is highly recommended.
- 3.6 Fencing, if used, is to be limited to an area immediately adjacent to the structure. Total site or large portion of the site fenced is not allowed. Chain link fences are not allowed. Wood, split rail and post & rail fencing is desirable.
- 3.7 Roofs shall be pitched and done using shingles, standing seam metal or wood shakes. Gutters are optional. Chimneys may be wood or stone faced.

3.8 Garage materials need to match the house.

3.9 Other materials or features are subject to the approval of the ACC.

4. **Site Erosion**

It is required that planning, design and construction control for on-site erosion and water run-off that may impact the Association common property, Association deeded and easement roads and/or adjacent neighbors, is done to insure no or minimum problems.

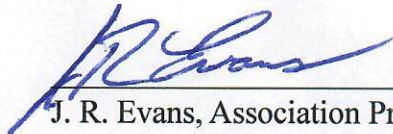
5. **Tree Removal**

The goal is to remove the minimum number of trees. Site plan design shall respond to the terrain; preserving large trees; creating a limited removal zone(s) for views; and creating appropriate open space around the structure and for personal use.

APPROVED:



William C. Charvat, Chairman
Architectural Control Committee



J. R. Evans, Association President

ATTEST:



Francis G. Clark
Association Secretary/Treasurer