

CUMBERLAND COVE PROPERTY OWNERS'
ASSOCIATION, INC.

**ENVIRONMENTAL CONTROL COMMITTEE
(ECC)
GUIDEBOOK**

PERMITS, REQUIREMENTS, AND RESTRICTIONS

Forms at the back of booklet

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Introduction

Dear Property Owner:

The Environmental Control Committee (hereafter ECC) is appointed by the Cumberland Cove Board of Directors as required by Cumberland Cove Covenant 11.1. The ECC has a minimum of three members. The responsibility of the ECC is to ensure that owners comply with Articles 6, 9, and 11 of the Covenants. The ECC meets twice a month (see official calendar) to review project applications, on-going projects, covenant violation, and any other request of the Board of Directors. Applications for projects should be submitted to the ECC Office 5 business days prior to the next ECC meeting in order to have time to be considered for approval. Completed paperwork will assure promptness. When a project is approved, the owner will receive a written notification and permit. The owner must post the permit sign in a place visible from the road and within 10 feet of the property owner's driveway. A member of the ECC will be assigned to monitor the project. All work must conform to the information as provided.

The ECC is responsible for enforcing the Covenants as well as to aid and assist property owners. This includes answering questions, explaining rules and covenants, investigating reported or observed violations and assuring projects are appropriately completed. The information in this booklet is designed to help property owners learn and understand the requirements of construction projects and covenant violation filing.

Amended 5/11/2021

ENVIRONMENTAL CONTROL COMMITTEE

The ECC is a Cumberland Cove Property Owners' Committee with the responsibility of reviewing all building construction in Cumberland Cove. The Committee's authority is provided through the amendment to the Uniform General Requirements in the Covenants.

Note:

The ECC recommends that property owners familiarize themselves with the contents of this document, and Articles 6, 9, and 11 of the Covenants. The Covenants establish the ECC's area of responsibility, i.e., conventionally, and non-conventionally designed and constructed residential dwellings, garages, outbuildings, entrance columns, fences, gates, pools, security lights and modification to exterior structures, etc. **Non-conventional structures erected only within view of an adjoining neighbor or residence, may require a letter from each of the adjoining neighbors specifying they have no objections to your project or structure. Outbuildings over 30' by 38' will be considered a non-conventional structure and will be reviewed individually.**

The Covenants restrict any permanent or temporary structure from being erected upon your property closer than 40 ft. to the property line adjacent to a county road, and 20 ft. to the property line of the adjoining properties.

Upon receiving written approval from the ECC, the property owner has 12 months to complete the exterior phase of construction. Upon request, a six (6) month extension may be granted providing the work has been continuous and ongoing.

Amended 5/11/2021

ECC PROCEDURES WHEN REQUESTING BUILDING APPROVAL PERMIT:

Please see Appendices C & D for the permit that must be completed. There are two pages to complete.

No work is permitted until the property owner receives written ECC approval. This includes clearing of land and the removal of trees.

No work means no tree removal, no building site preparation, no excavation, no construction, or fabrication, on or off-site. This includes traditional on-site constructed, or off-site manufactured, prefabricated, factory built, kit-built, modular, metal-clad, log walled, post & beam, or other unique construction types. See the last paragraph under “Modular and All Other Non-Conventional Home Construction.” (ECC Guidebook, page 3)

- A) Property owners are advised that they must adhere to all federal, state, and local laws and ordinances.
- B) No building submittals will be reviewed by the ECC until the property owner’s assessment fee is current.
- C) No building submittals will be reviewed unless all required documents are submitted as a complete package.
- D) A fully completed and signed Cumberland Cove Construction Approval Request Form is required along with all the appropriate documents pertaining to your particular project listed below:
 - (1) A fully executed property deed.
 - (2) A surveyor's certified property survey. Minimum corner stakes from the property survey must be in place and flagged prior to building.
 - (3) A set of building plans to include the floor plan and external view of the structure, including front, rear, and side elevation views.
 - (4) A copy of your building permit from Putnam/Cumberland County if required.
 - (5) A copy of your Tennessee Department of Environment & Conservation permits approving location of septic system.
 - (6) A complete plot plan indicating the mandatory setbacks for your residential dwelling, fences, walls or other structures from adjoining property lines and county roads. In addition, the plot plan must provide the location of driveways, the septic system drain field, and the areas scheduled for tree removal for these or other projects.

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POSTING APPROVAL PERMIT SIGN:

Once you obtain your approval permit, and prior to commencing construction, the permit sign must be posted in a place visible from the road and within 10 ft. of the property owner’s driveway. During new home construction the ECC recommends you provide a weatherproof board large enough to accommodate painting your home address on it and large enough to display additional permits.

POLICIES AND REQUIREMENTS FOR NEW CONSTRUCTION

MOBILE HOME RESTRICTION POLICY:

Mobile homes are not permitted in Cumberland Cove according to Covenant 9.3.2. This restriction is an effort to protect the property values of Cumberland Cove homeowners.

MODULAR AND NON-CONVENTIONAL HOME CONSTRUCTION:

If the property owner plans to place a pre-manufactured modular or other non-conventionally constructed home on his/her property, it must be demonstrated that the home will not have a steel frame undercarriage, and that the home will not carry a US Government Housing and Urban Development Approval placard. Such undercarriage and labels will be evidence that the home is a mobile home and would therefore not be permitted in Cumberland Cove.

If the property owner plans to utilize any pre-manufactured or other non-conventional construction process, the property owner or owner/builder is **strongly advised** to withhold commitment to purchase any such home until the structure and positioning of the proposed home has been reviewed and approved by the ECC. After ECC approval and purchase of the home, the property owner must notify the ECC seven (7) days prior to delivery to allow an ECC representative to be present to observe delivery operations.

CULVERTS:

To be determined by the appropriate County Road Commissioner.

RIGHT-OF-WAY/EASEMENTS:

The Right-of Ways in Cumberland Cove fall under the operational control of Cumberland Cove POA. Work other than general utilities must conform to the rules of Cumberland Cove.

When a property owner contracts with a utility or sub-contractor to perform work on any right-of-way that will require the downing of trees along the easement, the property owner originating the work will be responsible for the restoration of the easement. This will include, but not be limited to tree removal, and ground restoration. The practice of leaving dead trees on our roadsides is not in keeping with our commitment as a Fire Wise community. Placement of lumber, building supplies, portable toilet facilities, etc. shall not be placed on the Right-of-Way/Easements without the express approval of the ECC.

DRIVEWAYS:

No steel-track heavy equipment may be loaded or unloaded on any of our county roads. During excavation contractors should exercise additional care in keeping the ditch lines and shoulders free of debris. Any disturbance to pre-existing drainage that results in soil erosion becomes the property owner's responsibility to remedy the condition.

To prevent mud from the work site being deposited on our roads, a substantial roadbed of limestone gravel or shale should be provided as soon as the trees are removed from the driveway. It is the property owner's responsibility to ensure that their contractor adheres to this policy.

The Tennessee Forestry Service recommends that entrance gates or columns be at least 15 ft. wide to facilitate unhindered access to your home site. They further recommend a driveway be a minimum of 12 ft. wide and provide a turn around to accommodate fire equipment and other emergency vehicles.

Amended 5/11/2021

TREE PRESERVATION:

Regardless of the size or scope of the work performed on your property, it must be performed in a manner that minimizes the destruction of mature healthy trees. Therefore, the practice of clearcutting or the indiscriminate removal of mature trees is not permitted. Under no circumstances can any more than 50 percent of the original existing trees be removed for any reason, including area designated for corrals and/or pasture, without the Environmental Control Committee or the POA Board's approval.

In an effort to help prevent property damage caused by forest fires, the fire prevention officials recommend a 30 ft. area around your residential dwelling be cleared of trees and shrubs. Should you select this option the area should extend from your residential dwelling's exterior walls to the surrounding tree line. Although this option addresses fire safety, it does not address the additional hazard of large trees falling on your home. To address this hazard, property owners also have the option to remove trees that are a potential danger to life and property.

Without exception dead or mature trees large enough to be hazardous to life and property may be removed.

If additional structures are erected, only those trees necessary for construction may be removed, in which case the 30 ft. safety zone does not apply.

Amended 5/11/2021

Under no circumstances may a property owner extend their safety zone beyond the property line shared with a neighbor.

The owner of any lot contiguous to England Cove or Icy Cove shall have the right to maintain any foliage, and to cut back any trees obstructing his view, which are within this property and are within 250 feet of his lot. ECC approval is required, and how the tree debris will be disposed of should be noted on the plan application.

Davidson Cove is a private property and owner's permission must be obtained before anything is done on their property. **England Cove and Icy Cove** are owned by North American Zoological Foundation and are protected by deed restrictions. The Cumberland Cove POA is the sole authority on any and all activities within these two cove areas as stated plainly in the deeded restrictions. Also, ECC rules are clear on tree removal in the Cove proper. However, the ECC is empowered to grant variances for extreme circumstances. Furthermore, as stated in item number 6 of the deed restrictions of the North American Zoological Foundation, stiff fines and or other punitive action can be expected if violations occur.

CLEARING & BURNING:

Cumberland Cove is a nationally recognized **FIRE WISE** community. This means the residents who live here among the forest fuels take the threat of wildfires seriously. Everyone is committed to the safe disposal of woody vegetation (live or dead trees, fallen limbs, leaves, pine needles, etc.) removed prior to or after home construction. Whether you're a contractor, a current resident, or future resident you are advised that burning permits are required from **October 15th through May 15th inclusive**, which is the wildfire season in Tennessee.

Wildfires are always a concern in Cumberland Cove, and persons found guilty of causing a wildfire are subject to fines or criminal charges. Therefore, property owners are advised to familiarize themselves with section 39-14-304 and section 39-14-305 of the Tennessee Wildfire Laws. (A booklet containing the Tennessee Wildfire Laws is available at the Welcome Center.) Furthermore, if you are found guilty of being responsible for creating a wildfire, you may be held liable for the damage it causes to surrounding property. Therefore, it is extremely important for property owners, or contractors to obtain county approval before burning. **Under no circumstances is it permissible** to burn toxic waste, rubber, paint, asphalt shingles, and other objectionable material. Burning on the right-of-way is not desirable

For a burning permit in Cumberland County call 931-484-4548; for a burning permit in Putnam County call 839-2328. **Visit www.BurnSafeTn.org to get a burn permit.** Burning without the required burning permit is punishable by law.

Amended 5/11/2021

CONSTRUCTION PRACTICES:

The ECC recommends that property owners use licensed and adequately insured contractors. Contractors that are licensed in Tennessee have a dollar amount restriction placed on their license. Therefore, be sure your contractor has a state license issued with a dollar amount equivalent to the value of the home or structure you plan to build.

When submitting building plans for new home construction, **the contractor's name, your Unit, Block, and Lot must appear on the plans.** It is the property owner's responsibility to ensure that they or their contractor obtain all required permits.

Both counties currently require a building permit; they have building codes and inspectors to enforce them. Permits must be obtained prior to construction and posted on the job site.

You must obtain an electrical permit if you are planning to perform the electrical work yourself. Otherwise, a licensed electrical contractor is required to obtain the permits for all of your electrical work. For all new home construction, you must have a state inspection of your septic system site.

All additions constructed with guest quarters shall be part of the original home. The additional guest quarters must be connected to the original building by a common interior entrance and exit. No other buildings can be used as a living unit.

BLASTING:

The ECC has no jurisdiction pertaining to explosives that are used for whatever purpose by property owners. Explosives are a federal- and state-controlled industry subject to all governmental rules, regulations, and procedures.

In situations where the use of explosives is the only option to build, property owners are advised to familiarize themselves with the hazards connected with explosives. For example, rock formations may be violently disrupted causing wells to collapse, damage to adjoining properties, and in some cases cause ponds to drain dry. Consequently, as a courtesy to your neighbors, the ECC requires that you provide a 48-hour notice to your surrounding neighbors prior to blasting.

HOUSEKEEPING & TOILET FACILITIES

Every effort must be made during construction to keep the building site orderly; building debris must be deposited in a construction dumpster if the building is over 1200 square feet.

Temporary sanitary facilities (port-a-potties) are mandatory and must be provided at new home building sites prior to beginning construction, and until all phases of construction are completed.

During construction building materials must be stacked in an orderly fashion and preferably away from the building site entrance. Job site security for building materials, tools or other equipment is the sole responsibility of each individual contractor. Toxic materials must be removed from the job site. Under no circumstances is it permissible to bury toxic waste material, or any other waste building materials. Neighboring properties are to be respected at all times; depositing construction debris, woodland debris or any other offensive material on a neighbor's property is strictly prohibited and subject to fines.

EXTERIOR TREATMENT OF FOUNDATION MASONRY BLOCKS:

All non-decorative concrete masonry block foundations visible from the road must be painted or have a stucco finish applied. The minimum ECC acceptable treatment for masonry block shall include painting.

REQUIREMENTS FOR POND CONSTRUCTION

Contact Offices listed below:

ECC does not issue pond permits. However, members are required to provide the ECC a copy of the state permit before construction begins. No pond may be constructed on undeveloped properties. (State permit is required.)

The setback restrictions used for permanent structures also apply to ponds. However, the 20 ft. setback in this case is measured from the base of a pond's dam or the edge of the pond. The 40 ft. setback from a county road is also measured from the base of the dam or the edge of the pond. You must identify the source of water for the pond; run-off is not a reliable source of water.

Prior to constructing a pond, property owners must consult the U.S. Natural Resources Conservation Service field office. This office in your County can provide an experienced professional to assist you prior to the construction of your pond. However, the most important step in building a pond is selecting a highly recommended excavating contractor to perform the work. A dam may require a certificate by a licensed civil or hydraulic engineer.

The proliferation of ponds in our community has contributed to a noticeable increase in the population of mosquitoes. This increased mosquito population has become a serious concern, especially now that there have been deaths reported in Tennessee from the West Nile Fever. Because of this problem and the knowledge that ponds require ongoing maintenance, the ECC will no longer approve the construction of a pond to part-time residents. A property owner must be a full-time resident of Cumberland Cove before pond construction can begin.

Proper pond maintenance requires stocking of fish that feed on mosquito larvae, chemical treatment for insect control, and an aeration system to control algae. Regardless of your residential status if you have a pond, you are responsible for its upkeep and maintenance.

Should a property owner fail to maintain their pond, it will be necessary for the Property Owners' Association to maintain the pond for them. The POA will take whatever action is appropriate to correct the problem and will do so at the property owner's expense.

U.S. Natural Resources Conservation Service Field Offices:

Cumberland County Office is located at 314 Old Jamestown Road Hwy (next to the post office), phone # is 931-484-5442 ext. 3.

Putnam County Office is located at 900 *South Walnut Ave. #1*, phone # 528-6472 ext. 3.
Amended 5/11/2021

FENCING AND GATE RESTRICTIONS:

The ECC and the Property Owners, Association have voted unanimously to **BAN the use of fencing materials used in Cumberland Cove that could cause physical harm.** This restriction includes Barb Wire, Razor Wire, or any other type of wire that may result in injury to humans or animals.

Gates and entrances on driveways must be dimensioned from the property lines. Setback from the front line must be four (4) feet or greater from the property line to the closest part of the gate or entranceway. Setback from the side property line must also be four (4) feet or greater from the property line to the gate, entrance, or driveway. All gates must open into the property and not towards the road. They must allow a minimum of 15 feet width for the entrance of emergency vehicles.

Property owners who require a fence erected within a **specific area** must provide a plot plan indicating the location of the area and its purpose. All fencing and/or gates must be approved by the ECC.

GENERAL RESTRICTIONS:

Portable Sheds and On-site built Sheds and Garages:

A portable shed or garage is built off-site and transported to a designated location that has been pre-approved by the ECC. Property owners are advised to obtain ECC approval prior to purchasing portable sheds or before starting construction of on-site building of sheds or garages.

On-site built sheds and garages will be reviewed by the ECC. All such structures shall be completely enclosed, and access entries will be fitted with doors. No more than 3 outbuildings, portable, built on-site buildings or garages are permitted.

Prohibited Structures: Free-standing or attached open-sided structures such as farm equipment sheds, pole supported roofed shelters, dome shaped metal (or other material) structures. Gazebos and pergolas will be allowed as long as they are not used to store equipment, vehicles, boats or trailers. A permit is required for these structures. **Amended 5/11/2021**

LIGHTING:

The use of lighting in the Cove shall comply with the following:

Lighting, other than building lighting (i.e., above the garage door type) shall not be more than 15 feet from ground level and should be positioned in such a manner as not to shine on a neighbor's property. This will prohibit the use of the VEC pole mounted street type lights. All lights of this type now in use will be grandfathered but will require the use of shielding to prevent glare or other objectionable problems with the neighbors or the community in general.

The use of entrance way or driveway lights is permitted, but wattage should be kept to a minimum for the same reasons mentioned above. The intention of this rule is to keep lighting subdued, indirect and minimal. **Amended 5/11/2021**

HORSES: Refer to 9.8 of the Covenants

NON-DOMESTIC ANIMALS: Refer to 9.8 of the Covenants

PET NUISANCE COMPLAINTS: Refer to 9.8 of the Covenants

RECREATIONAL VEHICLE PARKING: Refer to 9.3 and 9.4 of the Covenants

SIGNAGE Refer to 9.7 of the Covenants

POLITICAL SIGNS:

Our Covenants prohibit most signs from being displayed, but because of TN law, we are allowing *political* signs as follows:

In compliance with TN code annotated 2-7-143 -Tennessee Freedom of Speech, Political signs will ONLY be allowed for the 60 days before a General Election and be removed by the day after a General Election. All Political signs, posters, flags, banners, or posters must be removed, and not displayed in clear view from the road by the end of the day after the General Election. Only one sign per candidate can be displayed. Signs must be placed parallel to and at the tree line, parallel to the road. Political signs, posters, banners, and flags cannot exceed 6 sq. ft in size.

Amended 1/12/2021

HOUSE ADDRESS NUMBERS:

The ECC recommends that you obtain your house number from your county's (911) office as soon as possible. The ECC application form requires your street address. Having the number located at the entrance to your driveway will facilitate finding your property during construction of your home, and aid emergency vehicles responding to a 911 call regardless of the cause.

ECC APPEAL PROCESS:

The ECC endeavors to formulate their decisions based on the initial documents the property owner submits for approval, and the impact the request will have on the community. From time to time our decision or interpretation of the covenants disagrees with those of the property owner. Therefore, whenever ECC approval is denied, as a property owner you are entitled to appeal that decision.

To begin the appeal process, submit your written appeal at the Welcome Center. Address your appeal to the Chairperson of the ECC and explain the reasons you disagree with the decision. If possible, your appeal will be placed on the agenda of the next scheduled ECC meeting, which you are welcome to attend.

In the event the ECC again denies your appeal, you have the option to request a hearing before the Property Owner's Association Board. Should the board support the decision to deny your request the outcome of that hearing will be final.

Conflict of Interest

If any member of the ECC files a request for ECC review and approval of a proposed project requiring ECC authorization to proceed, that member must not participate in the committee vote on the project approval and must not be a signer of the ECC authorization letter approving the project. In addition, the ECC Chairman shall not assign that member the duties to oversee the progress, through completion, of that project to ensure compliance with ECC rules and Cumberland Cove Covenants and Restrictions.

POOLS:

The construction of in-ground swimming pools must meet the current Covenant setbacks; see Covenant 9.5. Decking for either above-ground or in-ground pools requires a permit from the ECC before construction. For further information regarding construction of swimming pools, please call your county codes department. Putnam County 931-526-2285; Cumberland County 931-456-1830.

Amended 5/11/2021

**ENVIRONMENTAL CONTROL COMMITTEE
APPENDIX "A"**

ECC SURVEY ACKNOWLEDGEMENT FORM

Due to various problems concerning boundaries of real estate property in Cumberland Cove, the POA finds it necessary to require a certified survey, on file with the county, of each lot when building a new home.

Each homeowner, for his or her own protection, should have a certified survey of their property as prudent insurance that they are building on property they own and not violating any boundary requirements of the POA or their neighbors.

When constructing any improvement on your property the ECC wants to be sure you are aware of your boundary markers and physically view all corner iron pins marking the boundaries of your property.

Please sign in the space below that you have personally seen the marker pins and confirm that they represent your property borders.

Property owner _____ Date _____

POA Witness _____

Amended 5/11/2021

**ENVIRONMENTAL CONTROL COMMITTEE
APPENDIX “B”**

COMPLAINT FILING PROCESS:

The ECC has the power to enforce all the articles under Sections 6, 9, and 11 of Cumberland Cove’s Covenants, as well as all ECC rules and regulations. This also covers complaints filed by a property owner against another property owner.

- 1.** Complaints must be written, and you should obtain a complaint form at the Welcome Center.
- 2.** The ECC will not disclose the person making the complaint unless it becomes legally necessary.
- 3.** The ECC may share information with the Board of Directors and/or Security, as deemed necessary.
- 4.** If the ECC feels the offender is not complying with the action requested by the ECC, the matter will be referred to the POA Board for further action; this can include a fine or court action.
- 5.** Complaints initiated by the ECC will require a written complaint form to be filled out because of its mandate to enforce the articles, rules and regulations mentioned above.
- 6.** Complaints referred to the ECC will be addressed within 4 weeks from the received date of the complaint either by phone or written.

Amended 5/10/2022

APPENDIX "B"

Notice of Covenant Violation

Date Received: _____ at the office by _____

Location of Complaint: Street Address _____
(required)

Nature of complaint (describe): _____

Person making complaint _____ Phone No: _____
(required)
Address _____
(required)

Committee Members complaint referred to: _____ Date: _____
By: _____

Committee Member's findings and **action taken**: _____

Follow up Date: _____ By: _____

Referred to POA Board Date: _____

Amended 5/11/2021

**ENVIRONMENTAL CONTROL COMMITTEE
APPENDIX "C"**

Date Received _____

By _____

**DATA NEEDED BY ENVIRONMENTAL CONTROL COMMITTEE PRIOR TO
CONSIDERATION FOR APPROVAL:**

Note: Environmental Control Committee must meet, review, and give written approval before **any** work can begin on requested projects. (ECC meets ***twice a month: please see office calendar.***)

Approval Request Checklist:

Proof of ownership & APPENDIX "F" _____

Copy of County Building Permit (Cumberland or Putnam) _____

Current on all assessments and fees (*office check of records required*)
Modular Home _____ **Delivery Date** _____

Tennessee Environment & Conservation Survey for Septic System _____

Map of the lot: include location of all improvements on map (**mark setbacks and easements** for proper distance from boundaries) _____

Tree removal plan _____

Building plans for all requested projects
(showing dimensions of buildings and outside construction materials) _____

Certified Property Survey & APPENDIX "A" required for all new home construction _____

House number & property owner signature on Approval Request _____

Building plans with copy of front, rear, and side elevations
(MUST be in 8.5 X 11 size) _____

**ENVIRONMENTAL CONTROL COMMITTEE
Owner's Checklist with Previously Built Home on Site**

DATE RECEIVED: _____

By: _____

**DATA NEEDED BY ENVIRONMENTAL CONTROL COMMITTEE
PRIOR TO CONSIDERATION FOR APPROVAL**

Note: Environmental Control Committee (ECC) must meet, review, and give written approval **BEFORE ANY WORK CAN BEGIN** on requested projects. (ECC meets twice a month, please see office calendar for dates.)

Approval Request Checklist:

Project description: _____

Current on all assessments and fees (Office check of records required) _____

Map of the lot including location of all improvements on the map. (Mark setbacks and easements for proper distance from boundaries.) _____

Tree removal plan. _____

Building plans for all requested projects. (Show dimensions including front, rear, and side elevations of buildings and outside construction materials.) _____

House number and property owner signature on Approval Request. _____

Professional Pond Site Appraisal Worksheet
(Review ECC Rules) _____

**ENVIRONMENTAL CONTROL COMMITTEE
APPENDIX "D"**

Date of request _____ Unit _____ Block _____ Lot _____ Owner Name: _____
House Number _____ Street Name _____ Is this a bluff lot? YES or NO
Owner Mailing Address _____

Owner Email Address _____
Owner Home phone _____ Cell Phone _____
Contractor/Company Name _____ State License Number _____
Contractor's Address _____
Contractors Home phone _____ Cell Phone _____
License information: www.state.tn.us/commerce or call 1-800-544-7693
Estimated start date _____

Please check all that apply

Using a site survey please draw location of all buildings, driveway, and septic field. Distances from property lines must be shown in feet. All trees to be removed must be marked on your property.

- Install Driveway
 Indicate site and describe completely trees to be cut for building site _____

 Construct house: Number of floors _____ Total heated living area in sq ft. _____
Type of construction _____ Roof type _____ Roof Color _____
Exterior materials _____ Building Color _____
 Is this a Modular Home Yes _____ or No _____ If yes what is delivery date _____
 Construct outbuildings.... provide description, dimensions and sq. ft. _____

 Attach a Drawing or Building Plan.
 Install fencing (**See fencing restrictions page 9.**)
 Make changes to existing property or buildings. Describe changes _____

 Permission to reside in a temporary travel trailer, RV, motor home on the property during construction

Owners/Contractors...no unattended fires are permitted in the cove.

The setback requirements are 40 feet inside the property line running adjacent to a county road and 20 feet inside all other property lines.

1. I certify that this request complies with these setback requirements. I also certify that I am in possession of the current property restrictions and have reviewed them. I also certify that I have a current property survey as required before building. I also understand that all work submitted to the ECC must be approved before any work can begin. I understand there will be a fine, and possible criminal charges for any unapproved or unattended fires.
2. I certify that the Owner is aware of all POA Covenants and Restrictions regarding parking of all travel trailers, recreational vehicles, boats and utility trailers. (See Cove Restrictions para. 9.3 and 9.4)

Property Owners Signature **Date**

Licensed Contractor

Disclaimer: No approval of plans, specifications, or request for permission to make improvements to property and no publication of design standards pursuant to the terms of the Declaration of Covenants and Restrictions for Cumberland Cove (the Declaration) by the Environmental Control Committee (ECC) shall be construed as representing or implying that such plans, specifications, or standards will, if followed, result in properly designed improvements. Such approvals and standards shall in no event be construed as representing or guaranteeing that any Living Unit or other improvement built in accordance therewith will be built in a good workmanlike manner. The Cumberland Cove Property Owner's Association and the ECC shall not be responsible or liable for (i) any defects in any plans or specifications submitted, revised, or approved pursuant to the terms of this Declaration; (ii) any loss or damages to any person rising out of the approval or disapproval of any plans or specifications; (iii) any loss or damage arising from the non-compliance of such plans and specifications as with any governmental ordinances and regulations; (iv) any loss or damage arising from failure of the Association to inspect the permitted improvement; nor (v) any defects in construction undertaken pursuant to such plans and specifications. The Cumberland Cove building rules are not intended and shall not create any rights in any third party.

ENVIRONMENTAL CONTROL COMMITTEE
APPENDIX "E"

RECREATIONAL VEHICLES: (parking)

Purpose: The following provides information and guidelines regarding Cumberland Cove Property Owners' Association (POA) regulations concerning the parking of recreational vehicles. While recreational vehicles are welcome in the Cove, the Covenants regulate the parking of these vehicles so that they do not become a nuisance to other property owners and that the community standards for sight, sound, and smell are maintained as encompassed by the Cove's governing documents.

Source document: Declaration of Covenants and Restrictions for Cumberland Cove Property Owners' Association (Covenants) Section: 9.3 Prohibited Residential Structures and Section: 9.4 Parking

The Covenants (9.3) define a recreational vehicle as, "every licensed vehicle and conveyance designed, used or maintained primarily as a travel trailer, motor home, camper, boat and boat trailer, or other similar use." The Covenants (9.4) permit the parking of these vehicles provided they are kept inside a garage (POA approved structure for this purpose) or are hidden from view by neighbors or from the street (moved to an out of sight location). They must not be a nuisance and must conform to the communities' standards for sight, sound, and smell.

Enforcement: The POA Board has the "standing" to enforce this restriction as does any property owner. The Environmental Control Committee (ECC) has been appointed by the Board to review and request compliance with these regulations including complaints which have been properly filed. If the complaint that the vehicle is a nuisance has been upheld, it must be placed in an approved garage, moved to an out of sight location, or removed from the subject property.

As mentioned, the Covenants state these vehicles must be hidden from view by neighbors or from the street and that any property owner is considered a neighbor with the standing to "enforce" these restrictions. Accordingly, if a subject vehicle is visible from the street, the ECC will accept reasonable complaints from any property owner. If however, a subject vehicle is not visible from the street then the ECC will only accept reasonable complaints filed by an adjacent neighbor as discussed in section 9.4 of the Covenants. Notwithstanding the right of others or the POA to enforce these restrictions concerning sight, sound, and smell, an adjacent neighbor is defined as any property owner who can see, hear or smell the "nuisance" from their property.

It is important to remember that the standing of neighbors to enforce restrictions is protected and that complaints could be filed in the future as neighbors change resulting from the sale of homes/lots and due to new construction. Failure to enforce these restrictions in the past does not prohibit enforcement in the future.

This information is not intended to discourage property owners from owning and enjoying recreational vehicles. It is intended to familiarize all property owners with a clearer view of your community's regulations in this area and avoid misconceptions regarding property use. It is also intended to ensure that Recreational Vehicle owners have an enjoyable ownership experience without unnecessary complications due to a lack of awareness of Cove restrictions.

This document has been reviewed and approved by the Cumberland Cove's attorney June 2009

Approved by the Board of Directors Cumberland Cove P.O.A. July 7, 2009

Amended 5/11/2021

Appendix “F”
Acknowledgement of Governing Documents

Date Received: _____ at office by _____

Unit _____ Block _____ Lot _____

I certify that I have received, read, and will abide by all the requirements and restrictions contained within the following:

- 1) Cumberland Cove Property Owners Association Covenants
- 2) Cumberland Cove Property Owners Association Environmental Control Committee Guidebook

Property Owner Signature | Date

Licensed Contractor Signature | Date

ECC Plan Approval Check List.

Name: _____

Address: _____

I have verified the following:

Survey and site layout.

Driveway location with drainage pipe

Building plans. To include size, color, exterior material.

Area and number of trees to be removed (in feet and number)

Septic field location.

Ancillary building locations and dimensions. (Including sq ft.)

List any and all concerns about this application:

Concerns discussed and resolved? YES or NO

Follow-up required? YES or NO

I have seen and inspected all the above-mentioned documents and find no reason not to approve this request if the information was accurately provided by the owner or his/her agent.

Committee Members: (majority is needed)

_____	_____
_____	_____
_____	_____

APPROVED YES or NO

Date _____

Checklist for discussions with Building Contractors

Introductions:

- _____ Exchange phone numbers
- _____ Provide Contractor with a copy of the ECC Guidebook
- _____ Describe ECC responsibilities in one or two sentences
- _____ Ask contractor if he has any questions for the ECC
- _____ Ask for location of sign board for permits, inspection records, etc.
- _____ Post ECC permit and ECC representative card on the sign board

Safety on Job Site:

- _____ Worker Parking Plan to keep roadway clear
- _____ Organized Material Storage Plan
- _____ Port-a-potty for workers
- _____ Debris Collection and Removal Plan (*Dumpster required for structures over 1200 square feet.*)
- _____ Remind workers to pick up all litter (paper, food, etc.)
- _____ **No Unattended Fires** – Fire Protection Plan (pg. 5 ECC Guidebook)
- _____ Contractor responsible for damage to road/right of way
- _____ No animals allowed on property except owner's pets

Protection of Neighbor Property and Public Use Areas:

- _____ Silt fence to protect roads, creeks, neighboring property from runoff
- _____ Culvert size, length, and placement plan
- _____ Clearing plan – building footprint, driveway
- _____ Verify property lines, setbacks on all 4 sides of property

Unique Characteristics for Project:

- _____ Does the type of construction require unusual steps
- _____ Will any blasting of rock be necessary – Are Permits Required?
- _____ If unusual noise will occur, please advise neighbors
- _____ Work time hours are from **7:00 am to 7:00 pm**

Signatures and Date:

Contractor/Owner

ECC Representative