

## Shagbark Property Owners Association - Construction Application

Owners Name: \_\_\_\_\_

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

Owner Phone Number: \_\_\_\_\_

Owner Email Address: \_\_\_\_\_

Contractors Name: \_\_\_\_\_

Contractors Phone Number: \_\_\_\_\_

Contractors Email: \_\_\_\_\_

### Construction Codes, Covenants, Restrictions

Shagbark lies in the shadow of the Great Smoky Mountains National Park. Many residents who choose to live here appreciate the natural beauty of our forested hills and mountains, The serene nature of Shagbark brings pleasure and a yearning to live among like-minded individuals.

New construction is always a challenge between building and retaining or enhancing the natural beauty of the area. This Construction Application has been developed to help guide new construction toward the goal of retaining the natural beauty in Shagbark. This form pertains to the exterior of the home being constructed and the lot surrounding it.

All proposed construction in Shagbark requires a review by the Architectural Review Committee (ARC) prior to any tree removal, or site work. and/or construction begins and must comply with Shagbark's Land Use. Protective Covenants, and Building Standards.

Starting the application process requires a licensed survey that clearly indicates the location, size, and position of the house and the driveway, proposed parking areas, and septic drain field.

Parking requirements are based on the number of bedrooms of one car per bedroom with a minimum parking area of two vehicles. No parking is allowed on the Shagbark roads or right-of-way.

Building setback is forty (40') feet from the center of the road and is mandatory for all new construction and must be ten (10) feet from all other property lines. The Shagbark Board of Directors will consider a variance on a case-by-case basis based on the topography of the property.

Colors allowed on the exterior and roof of the home include earth colors such as brown and green.

No bright colors are allowed on the exterior of the home or the roof.

Neither clear-cutting nor tree topping is allowed. Shagbark Property Owners Association (SPOA) requires the house dimensions and septic systems to be clearly staked out. Once approved tree removal is limited to the area for the structure as well as areas for the well, septic system, and drain field required by the Sevier County Health Department.

For wildfire safety and prevention Shagbark has adopted the following Firewise – TN Division of Forestry recommendations.

1. A five (5) foot buffer around the main structure for ground cover, ten (10) feet if the ground cover is up to one foot high.
2. Shrubs should be wide-spaced no closer than fifteen (15) feet from the main structure.
3. Trees should be at least thirty (30) feet from the structure and should be widely spaced so there are more than fifteen (15) feet between crowns.
4. Trees greater than (30) feet from the main structure and (6) six inches in diameter or larger must be marked in a bright color or banded in a bright color tape and approved for removal by the Architectural Review Committee before removal.

While this is the recommendation of Firewise and SPOA it is the owner's right to leave many or all of the trees on his or her property.

All tree and brush debris must be removed and cannot be left on the property or buried.

If the construction work damages any community infrastructure such as pavement, ditches, or culverts, the owner of the property will be responsible for the cost to repair the damage or be assessed a fine.

Construction is required to be completed within one (1) year from the date the ARC permit is granted.

The following documents must be attached to this application and approved by ARC before any access to the site, tree removal, or construction begins.

1. A survey showing the proposed home site, setbacks, driveway, and parking areas.
2. A rendering or artist concept of the proposed building either in color or in black & white with color swatches attached for siding and roof.
3. A copy of the construction permit from Sevier County.
4. A copy of the septic permit from the Sevier County Health Department.
5. The house corners (including decks) must be staked on the property.
6. The property lines are visibly marked at the roadway and staked on the sides and rear.

These six (6) items must be completed and submitted before the ARC Committee begins its approval process.

I am requesting permission to construct a home and/or rental cabin in Shagbark and agree to abide by the Shagbark Land Use Restrictions, Protective Covenants, and Building Standards and in accordance with the plans and supporting documents submitted with this application.

If any changes are needed to the plans as herein presented, approval for the changes must be immediately submitted in writing to the SPOA office before proceeding with any clearing or construction.

I further understand violations of Shagbark's rules and regulations will result in fines as outlined in Shagbark's fine schedule, which I have been provided. By signing this form, I acknowledge I am bound by Shagbark's Rules & Regulations and that I am subject to fines for violations.

This agreement shall be binding on successors, assigned, personal representatives, and heirs.

**The Contractor and ALL property owners listed on the deed are required to sign this application.**

\_\_\_\_\_  
Property Owner Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Co-Owner Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Contractors Signature

\_\_\_\_\_  
Date

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**Architectural Review Committee**

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

Not Approved Date: \_\_\_\_\_

Approved With Conditions Date: \_\_\_\_\_

Comments/Conditions \_\_\_\_\_

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

**Signatures of a majority of Architectural Review Committee members is Required**

Print Name \_\_\_\_\_

Sign Name \_\_\_\_\_

Print Name \_\_\_\_\_

Sign Name \_\_\_\_\_

Print Name \_\_\_\_\_

Sign Name \_\_\_\_\_

Print Name \_\_\_\_\_

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Sign Name \_\_\_\_\_