



HARBOUR POINT

YACHT CLUB

DESIGN AND CONSTRUCTION GUIDELINES

DBA Harbour Point Community Association, Inc. (HPCA)
Subject to change without notice.
March 18, 2025

HARBOUR POINT COMMUNITY ASSOCIATION

NEW CONSTRUCTION DESIGN AND CONSTRUCTION GUIDELINES

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New Construction Guidelines

1.0 INTRODUCTION

Harbour Point is a unique lakefront neighborhood offering traditional homes and an amenity package designed to promote an active lifestyle suitable for families, singles, couples and seniors in a private setting.

The enclosed New Construction Guidelines are intended to assure the protection of the Harbour Point Community Association, Inc. (HPCA) concept, neighborhood lifestyle and individual property values through the establishment of standards for design review. The Builders (for this purpose of this document the use of Builder means Approved Builder), Property Owners and Lot Owners at Harbour Point are bound by the Harbour Point Community Association Architectural Review Committee Guidelines (ARC Guidelines) and Harbour Point Community Association Declaration of Protective Covenants (Covenants) that enable construction and development that will preserve and protect the natural beauty and serenity of Harbour Point. The Harbour Point Community Association (HPCA) will hold the Builder and Lot Owners accountable to assure that Harbour Point's common areas or neighboring properties will not be compromised by construction activity. In fact, any and all plans for building or construction activity shall be reviewed, scrutinized and approved as to architecture, elevation, exterior colors, exterior finish treatment and other details by the New Construction Committee (NCC), prior to commencement of construction.

1.1 Purpose of the NCC Guidelines

These NCC Guidelines (New Construction Committee Guidelines) will assist all Lot Owners in the planning, design and construction of their new homes. The NCC Guidelines are intended to assure the Lot Owners the quality control they would expect to ensure a "traditional" architectural character for the community, and to provide a uniform review process for approval by the NCC.

Within these NCC Guidelines, you will find an elaboration on the recommendations and performance levels established by the NCC. You will also find the appropriate sample forms that you must complete, submit and have returned and marked approved for your planned construction activity. These NCC Guidelines include, but are not limited to, Design, Architectural, Site and Construction NCC Guidelines.

Architectural variation is encouraged, within the bounds of appropriateness by the NCC. This set of basic standards is to promote harmonious community aesthetics and environmental compatibility for Harbour Point. The NCC, as approved by the Board of Directors, has the right, in the interest of Harbour Point, to change or

modify the content or add to the content of these NCC Guidelines without advance notice. Revised NCC Guidelines may not be consistent with those currently held by a Lot Owner. The Lot Owner shall be responsible for verification of and compliance with all current NCC Guidelines.

Documentation of plan approval from the NCC should be provided to the Lot Owner by the Builder prior to the commencement of construction. After occupancy, the Lot Owner shall be responsible for any changes required by the Harbour Point Architectural Review Committee (ARC).

Note that review and approval by the NCC shall not construed to imply that the NCC, the Board and/or the Association accepts any responsibility or liability for the structural integrity of any designs, construction practices, warranty, or guarantee as the suitability of any materials or conformance to applicable codes. The Association and NCC are NOT responsible for misrepresentations or disagreements between neighbors when submittals are approved. It is the responsibility of the Lot Owner to verify property lines and conformance to all local codes. Further, the Lot Owner is responsible for all permits and inspections required by the County, State, or Federal agencies having jurisdiction over said property.

1.2 HPCA Covenants Use Restrictions and Rules

All content herein is governed by the Use and Restriction Rules of the HPCA Declaration of Protective Covenants for Harbour Point, specifically, those listed in Article VI. But, all sections of the Covenants document apply to all activity within the Harbour Point Community.

2.0 REVIEW PROCEDURES

2.1 New Construction Review

The purpose of reviewing construction plans for all new homes in Harbour Point is to ensure the exterior is consistent with surrounding properties and contributes to the overall traditional theme of Harbour Point. All documents submitted to the NCC for review must be provided in both hard-copy and digital format.

The following review procedures for new construction shall be followed by all applicants wishing to build within Harbour Point.

The applicant (Lot Owner & Approved Builder) will be required to follow the following procedures.

a) Architectural Drawings

Applicant must submit architectural drawings prior to commencement of new home construction or purchase of a building permit. The applicant must submit a copy of the attached Design Application (Exhibit A) along with two (2) sets of new home drawings and architectural specifications for NCC review. All Builders must have their plans approved prior to the commencement of construction. The NCC shall respond to each submittal within sixty (60) days from the receipt of the fully completed application and new home construction

plans. If the NCC does not respond within sixty (90) days, the plans shall be deemed approved as submitted.

All drawings for new construction shall meet the following submission requirements of the NCC.

Building plans shall be drawn at a scale of ¼ inch equals 1 foot larger and shall show all 4 exterior elevations. The front elevation shall be drawn at ¼ inch scale and the other 3 elevations at 1/8 scale including all basement openings, deck locations and exterior mechanical locations. Plans shall include fully dimensioned floor plans. Although the NCC does not review floor plans or interior specifications, these will allow for the review of the elevation and exterior details.

Exterior material and finishing color schedules shall be provided and include the type and color (color samples required) all roofing material, siding, stucco, stone, brick or other material for each elevation. Color samples will be provided for all paint and siding surfaces. The NCC reserves the right to request samples of any other exterior finish materials.

All Harbour Point Builders shall be required to submit individual site plans at a scale of 1-inch equals 20 feet including all of the following items:

- 1) Footprint of home and garage on the lot
- 2) Finish floor elevations
- 3) Clearing limits
- 4) All building and setback lines
- 5) Existing and proposed grades
- 6) Color samples of all exterior features and surfaces
- 7) Location of all driveways, walks, patios, walls or easements which may impact the home

b) Landscape Plan Approval

In addition to submittal of new home plans, each applicant must submit an appropriate landscape plan, a written list of typical types and quantities of landscape materials simultaneous with submittal of their new home plans to the NCC. All new homes shall conform with the landscape guidelines contained herein. See **Paragraph 3.2, Bullets 6-8**.

c) Deviations from Approved Plans

Any deviation from approved new construction plans must be submitted, in writing, to the NCC for review in the same manner as the procedures and submission requirements outlined above. The Builder is encouraged to submit changes at the earliest possible time to avoid costly delays.

d) Construction Escrow Deposit

The Builder is responsible for submitting a Construction Deposit as set by the NCC. The deposit as of the effective date of these NCC Guidelines is five thousand dollars (\$5000.00). The deposit should be by check payable to Harbour Point Community Association, Inc. The deposit will be held and used for the purpose and uses set forth in **Paragraph 5** of these NCC Guidelines.

e) Zoning and Other Governmental Regulations

The Builder is responsible to comply with the procedures and NCC Guidelines outlined herein along with all zoning and other applicable governmental laws, rules and regulations. Hall County and its planning department have jurisdiction over the community at Harbour Point. Approvals by the NCC pursuant to these NCC Guidelines shall in no event be construed as representations or warranties that the Lot Owner's plans or improvements comply with any such governmental requirements.

At such time as the Building Plans are approved by the NCC, one (1) complete set of the approved plans shall be retained by the NCC and the other complete set shall be marked "Approved as Submitted" or "Approved as Noted" and returned to the Lot Owner along with a written statement with the design required modifications. Prior to commencement of any clearing or construction of the Improvements, the Lot Owner or the Lot Owner's representative shall stake the lot for review and approval by the NCC. NO CLEARING OR CONSTRUCTION ACTIVITIES MAY COMMENCE PRIOR TO THE ISSUANCE OF THE SITE INSPECTION APPROVAL BY HALL COUNTY. The Builder should advise the NCC, in writing, of the site inspections.

3.0 DESIGN GUIDELINES - GENERAL

The following design guidelines address the exterior building and individual site conditions. The NCC will employ these design guidelines in reviewing applications. These brief design guidelines are not intended to be all inclusive. However, proposed construction not covered by these design guidelines will be reviewed by the NCC.

3.1 Architectural Design Guidelines

- All single-story homes shall not be less than 2500 square feet (not including the basement). Multi-story homes shall not be less than 2800 square feet (not including the basement).
- All exposed concrete block or poured concrete foundations and site retaining walls must be covered with stone, brick or stucco or made of treated wood which compliments the individual house materials.
- Primary building materials shall be brick, stone, stucco or hardboard wood siding which reflects the traditional character of Harbour Point. As a minimum, the primary building material must encompass the front and side elevations of the homes. Primary colors for siding, stucco, brick, trim, gutters, garage doors or any other exterior surface may be selected to compliment the traditional architectural theme. Natural weathering of exterior wood materials is not permitted. All stucco or synthetic stucco must be painted or integrally colored.
- All roofing materials shall be dimensional type asphalt in colors or textures which complement the traditional architectural theme and individual home colors and in accordance with those defined in the Harbour Point Community Association Guidelines. Other roofing materials such as concrete tile, slate and cedar shakes may also be allowed but shall require the written approval of the NCC prior to installation.

- Roofs and roof pitches shall be in proportion to the overall size and shape of the house. Except as specifically approved otherwise in writing by the NCC, the minimum roof slope for the front side of the main house structure on lake front home sites shall be ten (10) vertical to twelve (12) horizontal. The minimum roof slope for the front side of the main house structure on all other home sites shall be nine (9) vertical to twelve (12) horizontal. All bay window roofs, low pitched porch roofs and exposed flashing must be finished metal or copper.
- Downspouts and gutters shall be used at all eave lines unless deemed inappropriate. All exterior downpipes (except copper downpipes) shall be painted to blend with the color of the exterior walls or trim of the residence.
- All sheet metal and PVC work such as roof caps, flashing, plumbing vents and chimney caps or any other roof protrusion should be painted flat black or painted to match roof colors. Roof stacks and plumbing vents must be placed on the rear slopes of roofs if at all possible. No roof stacks or plumbing vents shall be allowed on the front elevation of the roof.
- The main dwelling entrance shall be located in a position of prominence that is reflected in the design façade. The main entry shall be sheltered on the exterior and shall include either (a) French doors with or without sidelights or (b) a single door with sidelights. The main entry shall contain more architectural detail than other openings and entries, but all openings and entries shall be consistent in styling.
- Consistency of detailing on all elevations shall be maintained. Windows and doors shall reflect restraint in the variety of types, colors, styles and sizes. All openings shall be accented with the use of shutters, flat or arched lintels, projecting sills or relief surrounds.
- Wood, vinyl or aluminum clad wood windows are allowed. Metal windows, doors, louvers, window and doors screens, and porch screen enclosures may be allowed but must be anodized bronze or factory finished colors which are compatible with the individual home's primary trim colors. Chimneys framed to received prefabricated fireplaces and flues must not be cantilevered on the front or side of any home.
- All homes must have an operating garage sufficient in size to park two mid-sized vehicles. All garage doors must be operational. Garage doors must be paneled and/or detailed to provide appropriate scale. Side entry garage doors are encouraged for all home sites that contain more than 20,000 square feet of land.
- No glass may be mirrored or coated with a reflective coating of any type.

3.2 Site Design Guidelines

- Walls and fences should be considered an extension of the architecture of the residence and a transition of the architectural mass to the natural forms or the site. The location, materials, size and design of all fences and walls must be approved in advance by the NCC. Walls and fences in front yards are prohibited. Fences must start at the rear side of the home unless approved in writing by the NCC. Fences inside yards on corner lots must not protrude past the side of the home closest to the roadway. All fencing must be in accordance with those defined in the Harbour Point Community Association ARC Guidelines.

- Compressors for central air conditioning units and generators must be sited in a location which will not cause a nuisance to adjacent Lot Owner's or affect the use of active areas on the home site. Compressors and generators must be screened by landscape or other approved architectural treatment. (The NCC may waive this requirement on a case-by-case basis.)
- Play equipment must be located where it will have a minimum visual impact on adjacent properties and streets. All play equipment should be located in the back yard. Metal play equipment should be painted a dark earth tone to blend into the surrounding environment. All play equipment must be approved in writing prior to installation. Free standing playhouses, tree houses and free standing storage buildings are not allowed.
- Any exterior tubs or spas must be screened from adjacent properties and streets. All pumps, filters, equipment, etc. for spas must be sited where it will not cause a nuisance to neighbors and must be screened from view.
- All exterior lighting should be low level, non-glare type located to cause minimum visual impact on adjacent properties and streets.
- All landscaping should relate to the existing terrain and natural features of the home site. The amount of landscaping required will vary from site to site, but as a general guideline the Lot Owner should expect to invest ~10% of the home price to landscape treatments. A recommended plant list has been established for Harbour Point and is attached to these Design Guidelines as Exhibit B. All landscape plans should be developed using materials outlined in Exhibit B.
- Front yards must be sodded with Bermuda, zoysia or fescue grass. A minimum road shoulder of sod of 6 to 10 feet wide will be required from the lot line to the lot line including the entire street exposure of corner lots. Side and rear yards may be sodded, seeded or treated naturally.
- Retaining walls will generally be permitted where their omission would result in excessive slopes, erosion, excessive maintenance, or extensive clearing. Retaining walls visible from streets, Lake Lanier or adjoining home sites must be constructed of, or faced with, material of a type approved by the NCC. All such walls must be designed to be structurally sound and properly drained while not adversely affecting neighboring properties or Harbour Point Common Areas.
- All new home construction including grading, landscaping, or retaining walls shall be performed in an effort to prevent water from flowing across one lot onto another lot. All drainage should flow to the front or rear property lines or to an existing drainage structure. Sheet flow across one lot to another lot is prohibited. Builder shall be responsible for establishing and maintaining proper grades on lots prior to closing homes with residents.
- An approved dog house's exterior colors and materials should relate to the exterior color of the house. These structures must be screened from surrounding roads and discreetly located so they will not cause a nuisance to neighbors. Clotheslines and/or fenced dog runs are not allowed unless approved in writing by the NCC.
- Landscape benches, sculptures, fountains, or other yard accessory structures including bird baths, if visible from any adjacent lot should be tasteful and blend in with the natural environment consistent with Harbour Point's design standards. Any structure must be approved in writing by the NCC. All deck designs and retaining walls must be designed such that they will not have a negative impact on adjacent Lot Owner's.

- No above ground pools will be allowed with the exception of small wading pools less than 18" in height and 8 feet in diameter which are of a temporary nature and removed immediately after use.
- The placement of driveways has a great effect on the aesthetics of the overall street scene. Therefore, the NCC reserves the right to establish particular areas of a home site in which the driveway must be located. Driveways should be constructed of a lightly brushed concrete. Other construction materials may be allowed with the approval, in writing, of the NCC. However, all driveway aprons must be constructed of a lightly brushed concrete as to provide a uniform appearance to the streetscape. On cul-de-sac home sites, circular drives with two (2) street entrances will not be permitted.
- The location and design of each residence and all other building improvements should be tailored to the specific features of the home site. The term "building improvements" means all improvements other than landscaping and trees; provided however, that the "building improvements" shall include hedges and other mass plantings. All building improvements should be sited so as to minimize disruption to the existing natural setting, including mature trees (over 6" diameter), drainage ways and the "view corridor" to and from each Lot Owner's home site. Each Lot Owner and her/his Approved Builder must recognize and understand that the views and view corridors to and from such Lot Owner's home site and Lake Lanier, common areas and other areas within Harbour Point are in all respects subject to the rights of other Property Owners and the NCC. All residences and other building improvements should be sited so as not to obstruct or otherwise diminish the views or view corridors enjoyed by other Property Owners. The NCC in its sole and absolute discretion shall determine whether a Lot Owner's plan for construction will impact another Property Owner's views or view corridors when reviewing and approving proposed building, building improvements and "Primary View". The NCC, in its discretion shall determine those home sites considered to be waterfront or water view. The Primary View for each of these home sites shall be the area facing Lake Lanier and formed by extending opposing lines (1) at a 45-degree angle from each rear corner of a home site's building envelope or (2) from the rear corners of a home site's building envelope through the rear corner of neighboring home sites' building envelopes, whichever area is smaller. The NCC shall use the Primary View concept as a guide, but not as an absolute rule, when reviewing and approving proposed building improvements.
- Building envelopes shall be determined in accordance with the setbacks as provided by Hall County in the approved zoning for Harbour Point. The NCC may establish a more restrictive building envelope than the envelope or setback lines shown on the recorded plat or as otherwise required by the applicable zoning authority. The building envelope approved by the NCC for the property will be available on an unrecorded map for the Lot Owner's review.

3.3 Amenity Home Sites - Design Guidelines

Homes built on home sites which have either a side or rear building line adjacent to Lake Lanier, The Racquet Club or the Harbour Point Yacht Club Marina shall be considered "Amenity Home Sites" and shall conform with the following Amenity Home Site Guidelines:

- Fencing – No rear fencing is allowed on these home sites.

- Deck Details – Deck details including pickets, handrails and support structures shall be approved by the NCC. All posts shall be a minimum of 6" x 6" wood or may be steel posts wrapped with wood, brick or stucco.
- Prohibited Rear/Side Yard Items – The following items shall be prohibited unless approved in writing by the NCC:
 - Rear signage of any kind
 - Storage buildings or prefabricated structures
 - Clotheslines
 - Barns
 - Greenhouses
 - Rear entry garages
 - Doghouses
 - Pools or hot tubs
 - Play structures (no play or tree-houses) other than those with all-natural colors
 - Parking of any type vehicle on the side or rear of homes
 - Trampolines
 - Boats, trailers, canoes or rafts when not in use. These shall be stored inside when not in use or shall be kept under a deck with perimeter shrub plantings which hide the item from view. Boats and trailers should be stored in the DBS or another storage facility outside of Harbour Point.
- Awnings – Must be approved in writing by the NCC prior to installation.
- Docks – **No individual docks shall be permitted on Lake Lanier within the Harbour Point community.**

3.4 Tree Preservation

Preserving trees and natural areas within Harbour Point must be reasonably assured. Therefore, all Builders and Lot Owners are required to use best efforts in preserving trees and natural areas. All tree and natural areas shall be kept free of debris, rocks, trash etc. Lot Owners shall remove fallen, dead or dangerous trees. **Please be advised that no trees, living or dead, may be removed nor branches trimmed or the "topping" of any trees from land owned by the Federal Government without the express written consent of the U.S. Army Corps of Engineers. Approved Builders and Lot Owners must be cognizant of these property lines so as not to disturb Corps property in any way. A copy of written consent to change of the U.S. Army Corps of Engineers, if approved, must be provided to the NCC prior to any changes to Corps property.**

3.5 Special Situation Guidelines

The following Special Situation Guidelines provide information and guidance to properly improve your property. These specific items are, typically, approved if they are installed according to the ARC Guidelines and are subject to submittal or review by the NCC. Failure to install the improvements according to the ARC Guidelines will lead to action by the NCC to request compliance. Failure to comply within thirty (30) days of notice by the NCC of non-compliance shall permit the NCC to take whatever action is outlined in the current Harbour Point New Construction Committee Guidelines necessary to bring the special situation into compliance with no financial remuneration to the Lot Owner. All costs incurred by

the Association to bring the special situation into compliance, including reasonable attorney's fees actually incurred, will be assessed against the violating Lot Owner. The NCC shall have full and final authority to determine if any special situation meets these NCC Guidelines.

- Basketball goals must be mounted on black poles and have standard white or clear backboards. Whenever possible, they should be located inside or rear yards. All goals should be oriented for minimum visual impact from the street. If they are visible from the street, they should be landscaped to minimize the visual impact from the street.
- Front doors and entry area decorations should be tasteful and in keeping with the style and color of the house. Plants and flowers in pots should always be neat and healthy.
- Outdoor storage shall not be free-standing units or buildings. All garden tools and hoses should be screened from view and kept behind shrubs. Any tools or items stored under a back deck or porch must also be screened from view by planting shrubs around the deck. Preferably these items should be stored inside either the garage or basement.
- Woodpiles should be located in the rear yard. Tarps covering a woodpile are allowed only if the woodpile is completely screened from view. For example, a tarp-covered woodpile may be located under a deck with shrubs planted around it.
- Bird baths and bird houses – should be tasteful and keeping in style and colors of the house. They should be located to blend naturally into the setting not in street view.
- All refuse or recycling containers, can or boxes must be stored in an area which is screened from view. It is preferable that these refuse containers be kept inside. All refuse containers should be out or and removed from roadside within 24 hours of pickup by the local refuse providers.
- One satellite dish may be installed in the rear yard of any home provided such satellite dish does not exceed eighteen (18) inches in diameter and is properly screened from view.

3.6 Signage and Graphics

No signs may be placed on any home site except for signage (one) provided by the Builder which is visually appealing, is consistent with other Harbour Point and has received prior written approval by the NCC. The only other signs or documentation that may be posted at a residence or on a home site during construction are grading and building permits. Business signs or other forms of advertisement are not permitted. Grading and building permits must be attached to a post in a manner protected from the elements. In no event may building permits or any other signage or documentation be attached to trees. Through an organized system of signage, we will be successful in presenting Harbour Point as a quality neighborhood.

3.7 Site Control and Management

Builders must use best efforts to ensure continuous silt control fencing is in place, and a gravel pad is in place anytime during construction of any home within Harbour Point. The NCC reserves the right to install silt fencing or gravel if the Builder does not comply within 24 hours of written notice that its silt control is inadequate. Builder shall reimburse the NCC for such services within fourteen (14)

days. At all times, Lake Lanier must be kept as free of silt as possible to maintain the image of Harbour Point and not pollute the Lake.

4.0 APPROVED BUILDERS (Exhibit E)

Only builders in good standing under the Harbour Point Approved Builder Program may serve as the general contractor/builder for the construction improvements on any home site. Upon request, the NCC will make available to any Lot Owner a list of the current Approved Builders. To qualify as an Approved Builder, a builder must satisfy certain criteria and requirements established by the NCC and approved by the Harbour Point Community Association Board of Directors. However, the criteria and requirements established by the NCC for a builder to qualify as an Approved Builder are solely for the protection and benefit of the NCC and are not intended to, and shall not be construed to, benefit any Lot Owner, Property Owner or any other party whatsoever. The NCC makes no representation, express or implied, to any Lot Owner or any other party whatsoever with regard to the Approved Builders, including, without limitation, the existence, nature and extent (including coverage amounts and deductibles) or insurance policies that may be maintained by the Approved Builders from time to time, the solvency or the financial status of the Approved Builders from time to time, the nature and amount of any bonds that may be maintained by the Approved Builders from time to time, the performance (or the ability to perform) by the Approved Builders of their contractual obligations (including any contractual obligations of any of the Approved Builders in favor of any Property Owner or any other party whatsoever), the compliance by the Approved Builders with building codes and other requirements, rules, laws and ordinances of federal, state and local governmental or quasi-governmental bodies and agencies relating to the construction of homes and other activities engaged by the Approved Builders from time to time, and the compliance by the Approved Builders with any licensing requirements imposed by Federal, state and local governmental and quasi-governmental bodies and agencies from time to time. Furthermore, the NCC nor the Harbour Point Community HOA officers, directors, members, employees, management company, agents or affiliates of them, shall have any responsibility whatsoever for any sum that any Approved Owner or any other party may deposit with an Approved Builder, including, without limitation any earnest money or any other deposit that any Lot Owner may deliver to an Approved Builder. The selection of an Approved Builder by a Lot Owner shall be conclusive evidence that such owner is independently satisfied with regard to any and all concerns such Lot Owner may have about the Approved Builder's qualifications. Lot Owner's shall not rely on the advice or representations of the NCC, the Harbour Point Community Association officers, directors, members, employees, management company or affiliates in that regard.

5.0 CONSTRUCTION DEPOSITS

The NCC may require a Deposit for Architectural Drawings, Landscape Plan, and Construction Escrow Deposit to be determined by the NCC. A complete copy of a fully executed contract for construction of the improvements between the Lot Owner and Approved Builder and all other materials necessary (as outlined in the New Construction Committee Guidelines) to the NCC to review.

A Construction Deposit will be required, as determined by the NCC, as stated above, and shall be deposited by the NCC in an escrow account established by the NCC. The Construction Deposit as of the effective date of these NCC Guidelines is five thousand dollars (\$5000).

This deposit shall be sent or delivered to:

**Harbour Point Community Association, Inc.
3313 Harbour Point Parkway
Gainesville, 30506
Attention: New Construction Committee**

The construction deposit, as determined by the NCC, may, thereafter be used by the NCC for any of the following purposes:

- To pay for the cost to repair any damage to roadways or common areas caused by a Lot Owner or a Lot Owner's Builder or subcontractors not repaired by the responsible Lot Owner, Lot Owner's Builder, or subcontractors.
- To reimburse HPCA or the HPCA Board for its cost of cleaning up any significant amount of dirt, cement, street or curb stains etc. left by the Lot Owner, the Lot Owner's Builder or subcontractors on any street if the same is not immediately removed by the Lot Owner.
- To pay for the cost of restoring or replacing any trees, other vegetation, grades or other natural features improperly removed, altered or destroyed by the Lot Owner in violation of these NCC Guidelines.
- To pay for the cost and installation of silt fencing or gravel which may be required to control silt and erosion resulting from construction activity on the Lot Owner's home site.
- To pay for the repair of any telephone, cable TV, electrical, gas, water, entrance gates or other utility lines cut due to construction activity on the Lot Owner's home site, HPCA Common Property or damage of those same type of utilities to a neighboring Property Owner.
- All fines are to be paid at the time of issuance. The deposit fund must be re-imbursed the amount of the fine to maintain a constant balance of \$5000.00.

Except for reimbursements noted above, the NCC shall give a Builder/Lot Owner proper notice that it intends to use the Builder/Lot Owner's construction deposit for a particular purpose. The Builder/Lot Owner shall, thereafter, have five (5) days from the notice to repair the damage or otherwise perform the work for which the NCC intended to use the Builder/Lot Owner's construction deposit, or, if the work cannot be completed in that time, to begin the work and, thereafter, diligently pursue it to completion. If the Lot Owner, upon receipt of the notice, shall fail to perform the work, then the NCC shall thereafter be free to perform it and to use the Lot Owner's Construction deposit to pay for the cost thereof. The deposit fund must be re-imbursed in ten (10) business days by the Builder/Lot Owner the amount of the fine to maintain a constant balance of \$5000.00.

Upon completion of the improvements and when all work has been completed by either the Lot Owner or the NCC, the NCC shall return to the Lot Owner any unused portion of the Lot Owner's construction deposit.

In the event that the NCC expends sums on the Builder/Lot Owner's behalf as provided above in excess of the Builder/Lot Owner's construction deposit, the Lot Owner shall pay the excess to the NCC within twenty (20) days' notice thereof. The deposit fund must be re-imbursed the amount in excess plus amounts to maintain a constant balance of no less than \$5000.00.

In the, unusual, event that no construction deposit has been required by the NCC, the NCC shall have the authority to expend money for the purposes set forth in this Paragraph Five and charge the Lot Owner for reimbursement thereof.

Any and all interest earned on the construction deposit shall be credited to and retained by the HPCA for its sole use and benefit.

6.0 CONSTRUCTION RULES - GENERAL

Attached as Exhibit D to these NCC Guidelines are the Construction Rules for all Lot Owner's and Approved Builders and their sub-contractors at Harbour Point. The NCC reserves the right to amend such rules from time to time at its sole discretion. All construction activity at Harbour Point must proceed in accordance with these NCC Guidelines and construe them as rules.

EXHIBIT A
APPROVED BUILDER and LOT OWNER APPLICATION FOR
DESIGN AND CONSTRUCTION APPROVAL

HARBOUR POINT YACHT CLUB

Submit this form with two (2) copies of preliminary site and house plans. One copy will be kept in the NCC's files and one copy will be returned to you.

Name of Property Owner(s): _____

Address: _____

Telephone (Work): _____ (Cell): _____ (Home): _____

1. Preliminary Site Plan (1" = 20')

Location (with dimensions and materials) should be illustrated for each of the following site improvements on the Building Envelope Lot Plan:

- Grading plan with 2' contour topography
- House and other improvements (garage, decks, patios, etc.) within building envelope
- Front, rear and side yard setbacks dimensioned
- Driveway, sidewalks and utility easements from recoded plat
- Fences and walls (including retaining walls)

Lot Owner Approval _____ **Date:** _____

Approved Builder Approval _____ **Date:** _____

2. Preliminary House Plans (1/4" = 1')

- Heated _____
- First Floor _____
- Second Floor _____
- Third Floor _____
- Basement _____
- Total _____

Approved: _____ Date: _____

3. Preliminary House Elevations (1/4" = 1' and 1/8" = 1')

Front, side, rear elevations show design exterior and layout appropriateness

EXHIBIT A (cont'd)

Lot Owner Approval _____ Date: _____

Approved Builder Approval _____ Date: _____

4. Exterior Specifications: Submit samples with manufacturer specifications

	Material	Color
Foundation:	_____	_____
Wall:	_____	_____
Trim:	_____	_____
Front Door:	_____	_____
Shutter:	_____	_____
Garage Door:	_____	_____
Roof:	_____	_____
Window:	_____	_____
Other:	_____	_____

Lot Owner Approval _____ Date: _____

Approved Builder Approval _____ Date: _____

5. NCC Required and Suggested Modifications:

Required: See Attached
Suggested: See Attached

6. Preliminary Approval

_____	Granted as noted above: however, construction start
_____	is subject to "Approval to Commence Work"
_____	Granted with "Approval to Commence Work"
_____	Denied

Review and Approved by:

NCC Committee Member: _____ Date: _____

Authorized HPCA Board Member: _____ Date: _____

EXHIBIT A (cont'd)

7. Approval to Commence Work

1. Site Visit to review staking. _____
2. Receipt of contract for construction between Lot Owner and Approved Builder. _____

In accordance with the receipt of the above items as required in the Design and Construction, you are approved to commence construction on this lot.

Authorized NCC Member _____ **Date:** _____

Authorized HPCA Board Member _____ **Date:** _____

EXHIBIT B
APPLICATION FOR LANDSCAPE PLANS
APPROVAL
HARBOUR POINT YACHT CLUB

REQUIRED INFORMATION:

Submission Date: _____
Home Lot Number: _____
Home Lot Owner: _____
Landscape Contractor: _____ Phone Number: _____
Landscape Architect: _____ Phone Number: _____
Projected Construction Initiation Date: _____
Projected Construction Completion Date: _____

Note: All pertinent information as outlined in the Design and Construction Guidelines shall be included on the plan submission prior to plan review consideration.

This landscape plan is submitted for: _____ Preliminary Review
_____ Final Review

The submitting party shall fill in all information above this line.

NCC PLAN REVIEW:

Reviewed by Authorized NCC Member: _____

Review Date: _____

Authorized HPCA Board Member _____ **Date:**

The following action was taken subsequent to plan review:

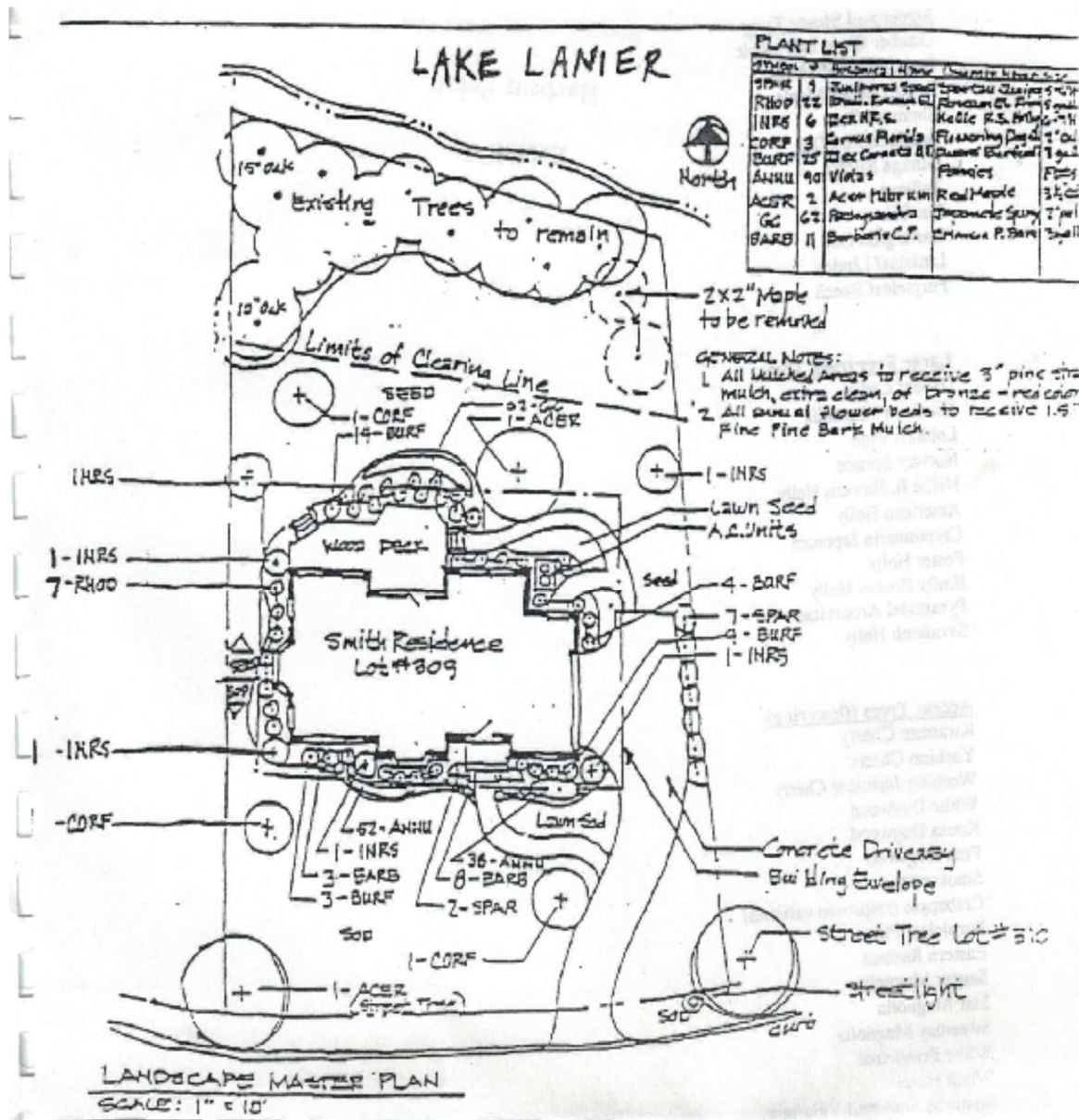
_____ **Approved** with the condition that all plants be installed as represented on the approved plan without additions, deletions, or size modifications, unless approved in writing by the NCC.

[We do not recommend Contingent Approvals. It can lead to issues especially if the owner does not resubmit the plans. The better practice is to Disapprove the plans and tell the owner if he resubmits with the following changes (describe them), that it is likely that the resubmitted plans will be approved. This forces the owner to resubmit.]

_____ **Disapproved** (revise and resubmit plans) per the attached rationale and recommendations.

EXHIBIT B (cont'd) APPLICATION FOR LANDSCAPE PLANS APPROVAL

HARBOUR POINT YACHT CLUB



**EXHIBIT C
RECOMMENDED PLANT LIST**

HARBOUR POINT YACHT CLUB

Street and Shade Trees

October Red Glory Red Maple
Red Sunset Red Maple
Legacy Sugar Maple
Shumard Oak
Southern Red Oak
Ginkgo Biloba
Zelkova
Pin Oak
Darlington Oak
Littleleaf Linden
Purpleleaf Beech

Accent Trees (flowering)

Kwanzan Cherry
Yoshino Cherry
Weeping Japanese Cherry
White Dogwood
Kousa Dogwood
Pink Dogwood
Smoketree
Crabapple (improved varieties)
Purpleleaf Plum
Eastern Redbud
Saucer Magnolia
Star Magnolia
Sweetbay Magnolia
White Fringetree
Witch Hazel
Japanese Snowball Viburnum
Crape Myrtle Species
Sourwood
Virex (Chaste Tree)
Styrax (Japanese Snowball)
White Fringetree

Evergreen Shrubs

Holly Species (e.g., Dwarf Burford Holly,
Compacta Holly, Helleri Holly, etc.)
Euonymous Species
Abelia
Ligustrum Species
Pieris
Aucuba

Large Evergreen Trees

Deodar Cedar
Southern Magnolia
Loblolly Pine
Norway Spruce
Nellie R. Stevens Holly
American Holly
Cryptomeria Japonica
Foster Holly
Emily Bruner Holly
Pyramidal Arborvitae
Savannah Holly

Accent Trees (non-flowering)

Black Gum
Chinese Pistache
Wax Myrtle
Bloodgood Japanese Maple
Green Japanese Maple
Amur Maple
Trident Maple
American Hombeam
Thornless Honey Locust
Heritage River Birch
Carolina Cherry Laurel

Deciduous Shrubs

Barberry Species
Spirea Species
Burning Bush Euonymus
Butterfly Bush
Forsythia
Flowering Quince
Hydrangea Macrophylla

EXHIBIT C (cont'd)
RECOMMENDED PLANT LIST

Boxwood	Oak Leaf Hydrangea
Otto Luyken Laurel	Viburnum Species
Schipka Laurel	Lilac (Miss Kim)
Zabel Laurel	Mock Orange
Camellia Japonica (protected)	Dwarf Cape Myrtle
Camellia Sasanqua (protected)	Weigela
Gardenia (protected)	
Cypress and False Cypress Species	
Juniper Species	
Nandina Species	
Plum Yew	
Wax Myrtle	
Cleyera Japonica	
Cotoneaster Species	
Osthmanthus Fortunei	
Osthmanthus Species	
Rhondodendron Species	

EXHIBIT D CONSTRUCTION RULES

1. Applicability

These rules shall apply to all Lot Owners and Builders and any reference herein to a Lot Owner shall also apply to the Lot Owner's Builder and subcontractors. While at Harbour Point, all Lot Owners and Builders shall abide by these rules and such other rules as the NCC may establish from time to time.

2. Construction Hours and Noise

All construction activities must be conducted, and all deliveries must be made from 7:00 am to 8:00 pm Monday through Saturday and from 10:00 am to 5:00 pm on Sundays; provided, however, no construction activities and no deliveries shall be made on July 4, Labor Day, Thanksgiving Day, Christmas Day or New Year's Day. Any construction activities conducted or access to Harbour Point after these hours must be scheduled with the NCC twenty-four (24) hours in advance. No loud radios or distracting noises will be permitted during construction.

3. Rubbish and Debris

In order to maintain a neat and orderly appearance at all times throughout Harbour Point, the following rubbish and debris rules must be strictly followed:

- Domestic Refuse: At least one lidded trash container must be located at all times inside each residence under construction. All domestic refuse such as food scraps and packaging, cups, plates, napkins, etc. which exist at any time on the home site or in the residence must be placed in this trash container. The trash container must be emptied regularly and its contents properly disposed of off the home site and outside Harbour Point.
- Interior Construction Debris: All parties are strongly encouraged to frequently clean up and remove rubbish and construction debris located within the walls of a residence.
- Exterior Construction Debris: With regard to all construction debris located on a home site outside the walls of a residence, the following rules will apply:
 - By the end of each day on which work occurs on the home site, all lightweight, blowable construction debris such as roofing paper, insulation bags, foam sheathing, polyethylene, etc. must be placed in a steel dumpster unit provided by a refuse company and located on the home site.
 - By the end of the day on each Friday, all non-blowable construction debris such as wood scraps, shingles, brick bands, bricks and masonry blocks must be gathered and placed in the steel dumpster.
 - The steel dumpster must be emptied and the debris hauled away on an as-needed basis and before it is filled to overflowing.
- No Burning or Burial: Burning or burial of construction debris or vegetation is prohibited.

4. Excess Natural Materials

Excess plant matter, rock, topsoil and similar materials must be offered first to the Harbour Point Community Association Board of Directors through the Authorized NCC contact prior to removal from

EXHIBIT D (cont'd) CONSTRUCTION RULES

Harbour Point. No such materials may be removed from Harbour Point without the prior approval of the NCC.

5. Silt Fences

Silt fences and other devices for sedimentation control shall be installed where necessary or as directed by the NCC.

6. Materials Storage

No construction materials, construction equipment or debris of any kind may be stored on any street, curb, sidewalk or area between streets and sidewalks, on any adjacent home sites or otherwise than in locations approved by the NCC.

7. Trailers

No construction office trailers may be placed, erected or allowed to remain on any home site or in any other areas of Harbour Point, except as approved in writing by the NCC.

8. Construction Access

During the time of residence is under construction or other improvements are being built, all construction access shall be confined to the approved driveway for the home site unless the NCC approves an alternative access way.

9. Gravel Drives

Prior to the commencement of construction on any home site, the Lot Owner or contractor shall provide at the approved driveway location a gravel drive with a minimum of five (5) inches of #5 crushed stone base from the paved street to the house under construction.

10. Parking

All vehicles must be parked so as not to impede traffic, any mailboxes or damage vegetation. All builder, contractor and sub-contractor vehicles **MUST** be parked on the same side of the street at all times. No vehicles (trucks, vans, cars, trailers, construction equipment, etc.) may be left parked on any street within Harbour Point overnight. Construction vehicles may be left on home sites overnight only if additional use of the vehicle will be made within the following three (3) days.

11. Miscellaneous Practices

The following practices are prohibited at Harbour Point:

- Changing oil of any vehicle
- Allowing concrete suppliers and contractors to clean their equipment other than at locations, if any, designated for that purpose by the NCC.
- Carrying and/or discharging any type of firearms, except by law enforcement officials.
- Careless disposition of cigarettes and other flammable materials.

12. Pets

Builders and contractor personnel may not bring pets into the Harbour Point Community.

EXHIBIT D (cont'd)

CONSTRUCTION RULES

13. Common Areas

Except with the prior written approval of the NCC, Builder and contractor personnel are not allowed in the Common areas or Amenity areas of Harbour Point.

14. Entrance to Harbour Point Community

Without exception, all Builders, Contractors, Sub-Contractors and other personnel associated with a homesite's build **MUST** have a valid Driver's License.

15. Accidents

The Harbour Point NCC point-of-contact and the Harbour Point Board of Directors shall be notified immediately of any accidents, injuries or emergency occurrences.

16. Portable Chemical Toilets

An enclosed and regularly serviced portable chemical toilet must be provided at each residence under construction, in as inconspicuous a location as possible. Builders with more than one home under construction may share one toilet as long as the home sites are within reasonable proximity to one another.

17. Speed Limits

The established speed limit within Harbour Point is twenty-five miles per hour (25 mph) for all vehicles and this speed limit must be obeyed.

18. Property Damage

Any damage to streets and curbs, drainage inlets, street lights, street markers, mailboxes, walls, fences, etc. must be repaired immediately or they will be repaired by the NCC and the cost of such repairs will be deducted from the Lot Owner's construction deposit. If any telephone, cable TV, electrical, gas, water or other utility lines are cut, the party causing such damage shall (1) report the matter within thirty (30) minutes to the HPCA Board of Director's NCC representative and at the respective utility company and (2) bear any cost incurred in connection with repairing such damage.

If no construction deposit was collected, the Lot Owner is responsible and will be billed for payment of the incurred damages.

19. Failure to Abide

Failure to abide by any of the above rules may result in the loss of a builder and/or contractor's privilege to enter Harbour Point on a temporary or permanent basis. Non-compliance by an Approved Builder may result in removal from Approved Builder status.

EXHIBIT E

HARBOUR POINT COMMUNITY ASSOCIATION APPROVED BUILDER LIST

HARBOUR POINT YACHT CLUB

APPROVED BUILDER'S

REED BROTHERS DESIGN & BUILD – Todd Reed's Architectural Designs have captured him many International Home Show and Builder Magazine Awards. Ron Reed is the hands-on construction management that keeps clients involved throughout the building process. Together, they have built many homes on and around Lake Lanier. Remodeling/Renovations

www.reedbrothersdesignbuild.com 770-318-8395

BC HOMES – Bart Conneen, many of you may know and remember, he worked for John Wieland/Colonnade here in Harbour Point for 12 years. A few years ago, Bart started his own company building homes in and around the Atlanta area as well as on Lake Lanier. Josh Bray, another former fellow Colonnade builder, joined not too long ago. Their clients know they can expect beyond just good business practices. Whether it is a new custom home or the renovation of a single room, they take exceptional pride in delivering the same experience. Remodeling/Renovations

[www.josh.bray@bchomesinc.com](mailto:josh.bray@bchomesinc.com) 770-480-4767

R.L. WAGNER CUSTOM HOMES – Lee Wagner has not only built in Harbour Point since 2000 but he has also been a resident. Lee participated in the 2001 "Street of Dreams" and has continued during his 20-year career to build and design distinctive and unique homes. Lee continues to build in Dahlonga, Achasta and on Lake Lanier. Remodeling/Renovations

www.rlwagnerconstruction.com 678-409-5577

EXHIBIT E (cont'd)

APPROVED BUILDER LIST

HARDEMAN BUILDERS - Hardeman Builders is based on core values, quality of work, commitment and the integrity of 30+ years of experience between Steve Eiberger and Mike Sweat. Steve began Harbour Point Yacht Club on Lake Lanier in 1996 and evolved into the #1 marina development on the lake. Some of his many accolades include winning the “Best Amenities Award” by the Georgia Builders Association and was selected by The Street of Dreams Home Show in 2001. Mike was named one of the top three renovators for the State of Georgia in 2012. Planning, communication and quality is integral in delivering a home to the fullest satisfaction of the client and the community.

steve.eiberger@gmail.com (770-616-7649)

www.hardemancommunities.com