

Eagle's Mountain Resort Campground

Campsite/Campground Rules and Regulations

Preamble

On or about March 20, 2010 the Coosawattee River Resort Association, Inc. ("Coosawattee") Board of Directors (the "Board") voted to file with the Gilmer County Courts a "Notice of Extinguishment by Abandonment" with respect to the first sentence Article 17 of the Third Supplemental Declaration of Covenants, Conditions and Restrictions for Eagle's Mountain Resort, Inc. Filing of the Notice opened the door to construction of structures in the Eagle's Mountain Resort Campground, subject to any other applicable covenants and Gilmer County Ordinances. The Third Supplemental states in Article 19, "Except where inconsistent with Article 16, 17, 18 and 19 herein, all campsite lots platted in accordance with Article 16, above, shall be fully subject to each and every other provision of the Declaration." Therefore, any construction in the Eagle's Mountain Resort campground is subject to review by the Architectural Review Committee ("ARC") as well as minimum setback requirements established in Article 7. However, the ARC may grant setback variances pursuant to Article 7. Also, Gilmer County has setback variance procedures in place. In order to facilitate aesthetically pleasing, safe construction; these rules and regulations establish parameters for the use of the campsite lots which must be complied with by the Eagle's Mountain Resort Campground owners, their guests, and tenants.

The authority for these Rules and Regulations in the Eagle's Mountain Resort Campground is located in the Third Supplemental. The Third Supplemental Declaration of Covenants, Conditions and Restrictions for Eagle's Mountain Resort, Inc. Article 18 state that the "Use of the campsite lots shall be subject to the reasonable rules and regulations of the POA." Emphasis added. These Campsite/Campground Rules and Regulations are enacted in addition to, and not in replacement of, the Rules and Regulations of the Coosawattee River Resort Association, Inc. having an effective date of January 27, 2007, and as amended thereafter.

I. Definitions

"Composite Material" means composite wood like product made of a unique combination of wood and plastic fibers or a combination of concrete or cement and fiberboard. Common examples include, but are not limited to, Trex and CorrectDeck.

"Deck" is an open air, roofless structure.

"Dog Run" is a gated and locked enclosed area of space where a dog can stay without a leash. The Dog Run can be made of chain link fencing or other materials approved for Fences herein. The Dog Run can be no larger than 200 sq. ft.

"Earth Tone" means any of various soft, warm, muted colors like those naturally occurring in nature and found in soil and vegetation, including, but not limited to, tan, beige, brown, green, reddish brown.

“Fence” is a barrier enclosing an area or separating an area, typically consisting of Wood or Composite Material. A fence does not have to be impenetrable.

“Finished” means stained, painted, or otherwise weatherproofed with a weatherproof material. Only Earth Tone colored stains and paints are permitted. Any color other than an Earth Tone will be required to be painted or stained over with an Earth Tone or completely removed.

“Four Season Room” is a roofed and walled structure protected on all sides from rain, snow, wind, and other elements. A Four Season Room does not need to have electricity, heating, cooling, or water but merely provides shelter from the weather. Four Season rooms are strictly prohibited in the Eagle’s Mountain Resort Campground.

“Gazebo” is an open air structure with posts or beams and a roof and is not intended for sheltering Recreational Vehicles or to be used as a residential living space.

“Parking Pad” is a paved outdoor area made of concrete, brick, individual pavers, or asphalt used to park a vehicle upon, including Recreational Vehicles.

“Patio” is a roofless paved outdoor area made of concrete, brick, individual pavers, or asphalt and used primarily for recreational purposes not for parking vehicles upon. A Patio is flush with the ground surface or does not rise above more than four (4”) inches.

“Porch” is a roof covered structure adjacent to, meaning no more than 6” from the entrance to a Recreational Vehicle or the space to be occupied by a Recreational Vehicle. A Porch is raised above the ground surface at least two (2”) inches.

“Recreational Vehicle” includes motor homes, conversion homes, campers, fifth wheel trailers, travel trailers, truck campers, and pop-up trailers as approved by RVIA. Converted passenger buses are not Recreational Vehicles and are specifically prohibited from entering the Eagles’ Mountain Resort Campground pursuant to the Declaration of Covenants, Conditions, and Restrictions.

“Roof-over” is a structure consisting of posts and beams and a roof with no solid walls. The Roof-Over covers the top of a Recreational Vehicle.

“Record Owner” is the person who holds title to the Eagle’s Mountain Resort Campground Lot as evidenced by the most recently recorded deed in the Gilmer County Superior Court Land Records.

“Recreational Vehicle Cover” means a fitted polypropylene cover, or similar material, manufactured specifically and exclusively for the purpose of covering and protecting a Recreational Vehicle.

“Screen Room” is a Porch with a fine wire netting used to keep out insects and wildlife. There shall be no solid walls; only railings, banisters, spindles and flooring.

“Setback” is an area adjacent to a property line where structures are prohibited.

“Storage Building” is a simple roofed and walled structure used for storage of equipment, materials and other miscellaneous items. Storage Buildings shall not have working electricity, plumbing, or HVAC component parts. Storage Buildings shall not exceed a maximum peak height of fourteen (14’) feet from floor level. Storage Buildings shall not be inhabited by humans or animals.

“Wood” means wood commonly used for building or construction purposes such as decking, siding, fencing, etc

II. Construction Permit Procedures

Eagle’s Mountain Resort Campground Record Owners who desire to construct ANYTHING upon their Eagle’s Mountain Campground Lot should first consult with the Coosawatee Roads and Grounds Department at 706-276-1060 ext.237 and the Gilmer County Department of Planning and Zoning at 706-635-3406 to discuss the necessity for a permit and a setback variance.

- A. Record Owners must obtain and complete an application for a Coosawatee ARC building permit at the Roads and Grounds Department.
- B. The ARC building permit -
 1. The application shall include a survey or plat of the lot with the proposed construction positioned within 11” of its actual location where it is to be constructed. Surveys are more accurate than plats with hand-drawn schematics so hand-drawn schematics on plats will require a sworn written statement as to the exact location of the proposed construction.
 2. The application shall also include construction plans listing the dimensions of the object to be constructed, the materials used (including all surface materials and fasteners), and any finishing materials, such as paint, stain, finish, etc...
 3. The application shall also include a list of all contractors and sub-contractors who will be working on the project. The Record Owner shall provide the name, address and phone number of all contractors and sub-contractors for admission through the gated entrances.
 4. The fee for a building permit is Twenty-Five (\$25.00) Dollars check or money order and is non-refundable.
 5. Any change to the original construction plans, once approved by the ARC, shall be submitted to the ARC for review and approval. There is no additional fee for submitting a change order application. Review and approval of the change order is subject to the Declaration of Covenants, Conditions and Restrictions, the By-Laws and these Rules and Regulations.
 6. Coosawatee building permits for the Eagle’s Mountain Campground shall be for six (6) months from the date on the Coosawatee building permit. If construction is not complete within the six months then the Record Owner may apply for one six month extension for a fee of \$25.00. All construction in the Eagle’s Mountain

Campground must be completed within one year of the date on the Coosawattee building permit.

C. The ARC setback variance application -

1. The application for a Setback variance shall include a survey or plat showing the location of the proposed construction.
2. The fee for a variance application is Fifty (\$50.00) Dollars check or money order and is non-refundable.
3. Failure to obtain a variance approval for a Setback prior to construction will result in a fine of up to One Thousand (\$1,000.00) Dollars per foot (of each foot the structure intrudes into the Setback) and removal of the structure by the Record Owner.
4. Coosawattee will notify in writing all adjacent Record Owners and all Record Owners directly across the street from the subject lot of the plans for construction and the request for a Setback variance. Those notified Record Owners will have ten (10) days from the date of the notification to file a written objection or approval of the Setback variance request.
5. The ARC will review the Setback variance request, construction plans and any feedback from notified Record Owners during the application process. The ARC has thirty (30) days from the date of the application to approve or deny the project pursuant to Article 3 of the Eagle's Mountain Resort Declaration of Covenants, Conditions and Restrictions.
6. Setbacks will never be less than three (3') feet from all property lines even with the approval of a variance.

D. The second step is to obtain and complete an application for a Gilmer County building permit and variance application from the Department of Planning and Zoning.

III. Campground Lot Use Rules and Regulations

A. Fences

1. Fences do not require a Coosawattee building permit or a Gilmer County building permit.
2. Fences do not require a Coosawattee Setback variance or a Gilmer County Setback variance.
3. Only Finished Wood and Composite Material fences are permitted.
4. No fence may exceed six feet six inches (6'6") in height from the land when installed.
5. Only privacy fences, split rail fences, and picket fences are permitted on Eagle's Mountain Resort Campground Lots.
6. Wire, metal, and chain link fences are strictly prohibited in the Eagle's Mountain Resort Campground Lots.
7. Dog Runs are specifically permitted as they are defined herein. Dog Runs do not require a Coosawattee building permit or variance nor do they require a Gilmer County building permit or variance.

B. Storage Buildings

1. Coosawattee requires permits for all Storage Buildings; please contact the Coosawattee Roads and Grounds Department to determine if a setback variance is required.
2. Gilmer County requires permits for some Storage Buildings; please contact the Gilmer County Department of Planning and Zoning to determine if a permit or Setback variance is required.
3. Only one Storage Building per lot is allowed.
4. The Storage Building shall not exceed two hundred (200) square feet in size and shall not exceed a maximum peak height of fourteen (14') feet from floor level.
5. The Storage Building shall be made of Finished Wood or be an all-in-one "kit" made of metal, vinyl or wood.
6. The all Wood Storage Building shall be constructed entirely of Finished Wood, except for the roof which shall be shingled or metal.

C. Decks

1. Coosawattee requires permits for ALL Decks; please contact the Roads and Grounds Department to obtain a permit and Setback variance.
2. Gilmer County requires permits for ALL Decks; please contact the Gilmer County Department of Planning and Zoning to obtain a permit and Setback variance.
3. The Deck shall be constructed of Finished Wood, Composite Material, cedar, redwood or cypress.
4. The Deck cannot be attached to the Recreational Vehicle.

D. Roof-Overs

1. Coosawattee requires permits for ALL Roof-Overs; please contact the Roads and Grounds Department to obtain a permit and Setback variance.
2. Gilmer County requires permits for ALL Roof-Overs; please contact the Gilmer County Department of Planning and Zoning to obtain a permit and Setback variance.
3. The Roof-Over structure, including, but not limited to, the posts, beams, and trusses, shall be constructed entirely of Wood, except for the roof which shall be shingled or metal.
4. There shall be no more than one (1) Roof-Over per lot.

E. Parking Pads

1. Parking Pads do not require a Coosawattee building permit or a Gilmer County building permit.
2. Parking Pads do not require a Coosawattee Setback variance or a Gilmer County Setback variance.
3. The Parking Pad shall be made of concrete, brick, individual pavers, or asphalt.

F. Patios

1. Patios do not require a Coosawattee building permit or a Gilmer County building permit.

2. Patios do not require a Coosawattee Setback variance or a Gilmer County Setback variance.
3. Patios shall be made of concrete, brick, individual pavers, or asphalt.

G. Porches

1. Coosawattee requires permits for ALL Porches; please contact the Roads and Grounds Department to obtain a permit and Setback variance.
2. Gilmer County requires permits for ALL Porches; please contact the Gilmer County Department of Planning and Zoning to obtain a permit and Setback variance.
3. The Porch shall be made of Wood or Composite Material.
4. The Porch must be adjacent to, meaning no more than 6” from the Recreational Vehicle or the space to be occupied by the Recreational Vehicle.
5. The Porch shall be Finished, unless it is made of Composite Material, cedar, redwood or cypress.
6. The Porch roof shall be shingled or metal.

H. Gazebo

1. Coosawattee requires permits for all Gazebos; please contact the Coosawattee Roads and Grounds Department to obtain a permit and Setback variance.
2. Gilmer County requires permits for some Gazebos; please contact the Gilmer County Department of Planning and Zoning to determine if a permit or Setback variance is required.
3. There shall be no more than one (1) Gazebo per lot and it shall not exceed 150 square feet in size.
4. The Gazebo shall be constructed of Wood or Composite Material.
5. The Gazebo shall be Finished, unless it is made of Composite Material, cedar, redwood or cypress.
6. The Gazebo roof shall be shingled or metal.

I. Screen Room

1. Coosawattee requires permits for ALL Screen Rooms; please contact the Roads and Grounds Department to obtain a permit and Setback variance.
2. Gilmer County requires permits for ALL Screen Rooms; please contact the Gilmer County Department of Planning and Zoning to obtain a permit and Setback variance.
3. No permits are required from Gilmer County or Coosawattee to hang screen on an already existing Porch.
4. There shall be no more than one (1) Screen Room per lot.
5. The Screen Room shall be made of Finished Wood or Composite Material, cedar, redwood or cypress.
6. The Screen Room roof shall be shingled or metal.
7. The Screen Room screening shall be a metal wire, fiberglass, or other synthetic fiber mesh.
8. Hanging of plastic sheeting is strictly prohibited.

J. Four-Season Room

1. Four-Season Rooms are strictly prohibited in the Eagle's Mountain Resort Campground by the Gilmer County Ordinances and this type of room will not be able to obtain the proper Gilmer County permits.

IV. Recreational Vehicles

A. Restrictions on Recreational Vehicles

1. Only one (1) Recreational Vehicle meeting the Recreational Vehicle Industry Association ("RVIA") standards is permitted upon each lot.
2. Converted passenger buses are not Recreational Vehicles and are specifically prohibited from entering the Eagles' Mountain Resort Campground pursuant to the Declaration of Covenants, Conditions, and Restrictions.
3. Recreational Vehicles shall be a maximum of 8' wide x 42' long, excluding slide outs and extensions.
4. Recreational Vehicles entering the Eagle's Mountain Resort Campground must be no more than 15 years old.
5. Recreational Vehicles entering the Eagle's Mountain Resort Campground must be properly registered and titled according to Georgia Law.
6. Recreational Vehicles are strictly prohibited from connecting directly to the electrical fuse box.
7. Recreational Vehicles may be covered indefinitely with a Recreational Vehicle Cover so long as the Recreational Vehicle Cover does not develop any holes or become otherwise unsightly from one of the following factors, including, but not limited to, growth of mold, graffiti, or dirt.
8. Tarps and plastic sheeting will not be permitted to cover a Recreational Vehicle except for emergency situations and then only for a maximum of fourteen (14) days. Proper repairs must be made to the Recreational Vehicle so that the tarp or plastic sheeting may be removed before the fourteen (14) days expires.

B. Restrictions on Occupants of Recreational Vehicles

1. All tenants of Record Owners of Eagle's Mountain Resort Campground Lots must register with the Coosawatee River Resort Association, Inc. Property Owner's Association Office located at 634 Beaver Lake Drive, Ellijay, Georgia 30540. Registration can be accomplished by contacting the Coosawatee property owners' association office at 706-276-1060. All guests must comply with the published gate access policies of Coosawatee in effect.
2. Anyone not listed as an official guest or tenant of an Eagle's Mountain Resort Campground Record Owner may be requested to leave the Coosawatee River Resort or be removed by the Gilmer County Sheriff for trespass.

V. The Eagle's Mountain Resort Campground Lots

- A. It is strictly prohibited to discharge gray water (from sinks and washing machines) and discharge black water (sewage) onto or into the ground or surface streams. Any improper discharge of gray or black water will immediately be reported to the Gilmer County Department of Environmental Health.

B. Coosawattee River Resort Association, Inc. owns the lots upon which the septic systems are located. The systems are the mutual responsibility of each of the Record Owners connected to each septic system. Therefore, should repairs or pumping be necessary for any one septic system, each of the Record Owners shall share equally in the cost of said repairs or pumping. Coosawattee, as the Record Owner of the lot where the septic systems are located, will order the repairs or pumping as needed and distribute a copy of the original bill for the repairs or pumping along with a prorated portion of the bill that is each Record Owner's responsibility. Coosawattee reserves the right to, at any time, with or without notice to the Record Owner, completely shut down any and all of the septic systems in the Eagle's Mountain Resort Campground should it be ordered to do so by any government agency, including, but not limited to, the Georgia Department of Environmental Health. Failure by a Record Owner to pay his or her share of the repair or pumping bill may result in legal action (if approved by the Coosawattee Board of Directors) if the bill remains unpaid for a period of thirty (30) days or more.

VI. Violations of these Rules and Regulations

- A. Violations of these Rules and Regulations will result in a warning letter being mailed to the Record Owner of the Campground Lot via certified mail and first class mail. Tenants and/or occupants of the lot will receive notice of violations in addition to the Record Owner. Record Owners will have ten (10) days from the date of mailing the warning letter to correct the violation or Coosawattee will issue a \$50.00 citation to be handled by the Compliance Committee pursuant to the Coosawattee By-Laws. In addition, if the violation is not corrected within ten (10) days from the date of mailing the warning letter, Coosawattee will contact the Gilmer County Department of Planning and Zoning to investigate any claims Gilmer County may have against said Record Owner.
- B. Violations of these Rules and Regulations not corrected within the ten (10) day mailing of the warning letter in addition to the fine of \$50.00 levied upon their account shall also have a daily fines of \$25.00, which will accrue starting with the eleventh (11th) day for as long as the violation continues.
- C. For Rules and Regulations enforcement procedures please see the Coosawattee By-Laws Article VI Rule Making and Enforcement *et seq.*
- D. Please note that Gilmer County has separate and distinct enforcement procedures and obligations which are not elaborated upon herein as they are controlled by Gilmer County Ordinances.