

DOCUMENT #2

THE SETTINGS OF BLACK MOUNTAIN

DESIGN REVIEW

The purpose of this document is to assist the homeowner in completing the Design Review Application (Document #3).

STEP ONE – REVIEW OF CONTROL DOCUMENTS, SITE DOCUMENTS AND SELECTION OF DESIGN CONSTRUCTION TEAM

The property owner(s) should select their professional team; a NC licensed architect or designer, a NC licensed (and either SOBM approved or preferred) builder, and a landscape engineer or architect. If you are not utilizing the services of a NC licensed architect, a NC licensed landscape engineer/architect must be used. It is the responsibility of the owner to acquaint their team consultants with the Design Review Board (DRB) Procedure and the DRB Architectural Design Standards and Guidelines.

Before beginning design preparation, the owner and his architect or home designer should review the following documents for specific constraints and/or requirements:

1. Recorded Plat of the Subdivision
2. Topographic, Boundary & Tree Survey for subject lot
3. Declaration of Covenants, Conditions, Restrictions (including Amendments) as recorded (CCRs)
4. Determine any lot specific restrictions and/or easements
5. Obtain & review the Design Standards and Guidelines described in DRB Document #1.
6. Review the Design Review Application, Affidavits & Construction Guidelines in DRB Document #3.
7. Understand ALL applicable Town, County and State Building Codes/Restrictions, Fees and/or submission requirements for The Settings of Black Mountain.

Most importantly, obtain a topographic survey along with a tree survey of the home site as soon as possible in order that the owner, architect/designer, landscape

architect/ designer and builder can make a proper site evaluation in accordance with the site planning guidelines listed herein. The topographic survey shall:

- verify the corner pins of the property
- any water boundaries, creeks or streams on the site
- provide graduated contours at two-foot elevation intervals
- spot elevations of any distinctive features such as mounds
- show the location and species of all trees 6 inches in diameter and greater (measured at 3 foot above grade)
- the location and identification of any special features of the home site
- show building setback requirements, easements and any restrictions

STEP TWO – EARLY ON-SITE EVALUATION & DESIGN PLAN MEETING

The architect and other design team professionals, along with the owner's selected builder and a DRB member should visit the home site for an onsite visit prior to beginning the Preliminary Plan Design work. This allows the designer to creatively design the dwelling in a compatible site specific manner taking the overall goals of the SOBM Design Style/Philosophy and the DRB into consideration. Please contact the DRB Chair to arrange this meeting with a DRB member that will be assigned as a liaison to work with the builder throughout the project. We encourage the design team's observation of other sites and homes within the community to experience the overall feel of the environment within the SOBM.

At the time of the on-site meeting with the DRB member, the owner, builder and architect can discuss any site related issues. Discussions of possible building sites, any easements or site restrictions, natural drainage requirement and/or existing creeks and streams need to be addressed. Also, any clearing concerns will be addressed as they relate to natural vegetation or its alteration.

Maximum consideration of the house design should be given to relate the home to site amenities such as views, as well as the proposed home's impact on the natural qualities of the home site. Homes will not be approved if they substantially damage the natural qualities of a lot. Consequently, a home that would be acceptable for some home sites might be unacceptable for other home sites.

No commitments or approvals will be granted from the DRB at this early-on site meeting.

STEP THREE – PRELIMINARY HOUSE DESIGN PLAN & SITE PLAN LAYOUT REVIEW

In order to facilitate the preliminary architectural review process and response, the architect/designer must prepare and submit a Preliminary Design Plan with detailing to include materials and a Preliminary Site Plan with the house orientation on the lot. This can occur either by meeting with the DRB or by electronic submission to the Chair of the DRB.

This preliminary plan review will help to prevent the owner and their team of professionals from wasting time and money in preparation of final construction/working drawings that may not meet the DRB Standards and Guidelines.

Preliminary Submission Requirements:

1. Site Plan at either 1" = 20' or 1" = 10' scale. Setbacks, easements, driveways, and building locations must be clearly shown.
2. Floor plan at either 1/8" = 1' or 1/4" = 1' scale. Major spaces labeled and dimensions must be noted. Height elevations must be identified.
3. All elevations illustrated on topographic site plan either 1/8" = 1' or 1/4" = 1' scale.
4. All proposed exterior materials noted and clearly delineated.
5. Window types and grille patterns clearly shown.
6. All roof pitches indicated.
7. Heated and unheated/unfinished areas for each level indicated with total numbers for the entire house.
8. Access to street, driveways, parking area, sidewalks, paths, decks, and patios with elevations indicated.
9. Variances to the Design Standards and Guidelines (Document #1) should be noted clearly, as specific approval must be granted by the DRB for each item not in accordance with the guidelines. Certain major variances may require Board approval. Failure to identify variance may result in a longer time to complete the Preliminary Review.
10. Non-refundable \$1000 Design Review Fee and non-refundable \$250 Landscape/Drainage Plan Review Fee made payable to The Settings of Black Mountain HOA and delivered to IPM at the address listed on the cover of Document #3.
11. Document #3 – Executed Design Review Application, Owner/Builder Affidavit and Construction Site Requirements.

Sample site and elevation plans are provided in Attachment 2 of this document.

Approximately thirty (30) calendar days should be allowed for the DRB Preliminary Review Process after submission of all required materials listed above. When the preliminary review is complete, comments, suggestions and recommended changes will be provided to you so that you may prepare your final documents accordingly. A preliminary review response does not constitute final approval or commitment on behalf of the DRB or Board of Directors.

This Preliminary Home Design Plan and Site Layout Plan must be completed and approved before proceeding to Step Four.

STEP FOUR – FINAL DESIGN APPROVAL - CONSTRUCTION DOCUMENTS

Construction Documents typically contain the details required for final approval. All Final Plan submittals **MUST** be presented to the DRB by the Preferred Builder. Sixty (60) calendar days should be allowed for the DRB Final Review Process after submission of all required Construction Documents. Compliance Deposit and Road Use Fee are to be remitted with the Construction Documents.

General Site Plan Required Elements

1. North Arrow, scale and date
2. Site plan at either 1" = 20' or 1" = 10' scale. Setbacks, easements, driveways and building locations clearly shown
3. Floor plans at either 1/8" = 1' or: 1/4" = 1' scale. Major spaces and dimensions noted. Floor elevations noted.
4. All four (front, back, both sides) elevations at either 1/8" = 1' or 1/4" = 1' scale. All proposed exterior materials noted and clearly delineated.
5. Locations and species of all trees 6" and greater in diameter (measured at 3 foot above grade). The locations of the drip line of all trees 12" or greater diameter shall be shown. Please note the requirements and restrictions related to removal of trees without the approval of the DRB. Absolutely no trees 6" and greater diameter as noted above shall be removed without specific written consent of the DRB. The DRB may, at its discretion, require replacement of trees removed without prior approval, and/or may impose fines as noted in this document.
6. Preliminary clearing and grading plan showing existing and proposed contours, culvert locations, sized pipes, inverts and flow directions, drainage, and clearing limits, and all retaining walls and/or berm locations (including proposed heights and material).
7. Access to street, driveways, parking area, sidewalks/paths, decks and patios with elevations indicated.
8. Entry to home sites for water, electric, cable TV, telephones and AC unit locations shown on plan.
9. Building accurately located from property and setback lines as required.
10. Dwelling indicated as exterior walls with entry area and stairs delineated.
11. Roof and deck lines.
12. Total impervious surface coverage.
13. Optional inset drawing with adjacent structures and any adjacent water bodies or other natural feature(s) noted. Principal view shall also be indicated with directions.

When the review is completed and approved, confirmation of approval will be sent to the owner, builder and architect/designer if applicable. This approval is valid for 180 days from the date of approval. If construction has not commenced within 180 days of the date of Final Design Approval, the DRB process may have to be restarted from Step 1 in its entirety.

Now you are ready to proceed to Step Five.

STEP FIVE – STAKING APPROVAL

The builder is to notify the Design Review Board once the house and any auxiliary structures are staked out and defined on the home site according to the final site plan submissions. The DRB must approve Step Five prior to any work commencing on the site.

Property lines, clearing limits, and trees to be removed are to be flagged with orange surveyor's tape. Trees to remain are to be flagged with a contrasting color surveyor's tape. Areas within the clearing limits (10 feet outside the primary structure) are to be delineated with the installation of tree protection fencing situated outside the drip lines. These areas should be avoided for construction access, equipment staging, or any activity that disturbs the trees and vegetation outside the clearing limits.

Additional clearing may be required to remove dead trees, or for consideration of Fire Department Guidelines for tree canopy clearance as it relates to the structure. A written request is required to remove any trees 6" and greater diameter beyond the 10 ft. clearing limit, regardless of reason.

STEP SIX – PERIODIC INSPECTIONS

The DRB and its members reserve the right of entry and inspection on any portion of a home site during the construction process for the purpose of verifying compliance with the Design Standards and Guidelines.

These inspections may be done without notice to the owner/builder. The owner, their builder and architect, if applicable, will be notified in writing of any items of exception or non-compliance. All items must be remedied within 14 days (weather permitting). A follow-up inspection and sign off will be performed by a DRB representative.

STEP SEVEN – FINALIZED LANDSCAPE PLAN

A Final Landscape Plan must be submitted to the DRB within 180 days of the Final Design Approval date from Step Four, or no less than 60 days prior to the anticipated completion and receipt of a Certificate of Occupancy (CO), whichever is earlier. A Final Landscape Plan, including a schedule of completion, must be approved by the DRB prior to the plan installation. A written approval confirmation will be provided by the DRB to the builder/landscaper and owner.

STEP EIGHT – FINAL INSPECTION

The owner/builder shall notify the DRB when construction (including landscaping) is substantially complete and ready to be inspected. Notification should be a minimum of five (5) business days prior to the requested date of the inspection to allow scheduling of a DRB representative.

Upon approval, a written Final Inspection confirmation will be issued by the DRB. As previously stated in this document, the Compliance Deposit less any unpaid non-compliance fines will be refunded to the owner within ten (10) business days after the issuance of the approval letter.

FEE STRUCTURE

Delivery of this Application should include the following applicable fees and deposits as noted below. All fees and deposits should be made by check payable to The Settings of Black Mountain HOA, Inc., and delivered to IPM Corporation, Attention Jane Gottman, P.O. Box 580, Arden, NC 28704. Indicate your lot/address on the check.

1. Due with Preliminary Plan Submission:
 - \$1000.00 Design Review Fee. **Non-Refundable**
 - \$250.00 Landscape/Drainage Plan Review Fee. **Non-Refundable**
2. Due with Construction Plan Submission:
 - \$2,500.00 (\$1250 from Homeowner and \$1250 from Builder) Compliance Deposit. **Refundable**
 - \$500.00 Road Impact Usage Fee. **Non-Refundable** (Monies will be added to the HOA Reserve Fund)

NON-COMPLIANCE FINES

<u>Violation</u>	<u>Fine Amount</u>
Silt/Erosion Fencing Not Installed or Maintained	100.00
Littered Job Sites	100.00
No Sanitary Facilities on Job Site	100.00
Parking on Adjacent Property	150.00
Materials and/or Equipment on Right-of-Way	150.00
Damage to Common Natural Areas (Plus Cost of Repair to Site)	150.00
Dumping any construction material within The Settings (Plus cost to clean up debris)	500.00
Minor Non-Approved Plan Changes (At DRB Discretion)	500.00
Non-Approved Exterior Color Palette Changes (Total Determined By DRB)	(Min \$500)
Significant Non-Approved Plan Changes (At DRB Discretion)	1,500.00
Burning On Job Site or Property	1,000.00
Construction Start without All Required Local/County/DRB Permits displayed on job site - Results in Construction Stoppage & Fine	1,000.00
Cutting of trees without prior DRB approval (For each tree)	
Trees between 6" and 11" diameter	1,000.00
Trees between 12" and 23" diameter	2,500.00
Trees 24" or greater diameter	5,000.00

At the discretion of the DRB, unauthorized tree removal may result in the requirement to replace the removed trees as follows:

- Trees between 6" and 11" diameter – 2" caliper
- Trees between 12" and 23" diameter – 4" caliper
- Trees 24" or greater diameter – 6" caliper

The above referenced fines are assessed by the DRB and are due within 30 days of Notice to the Builder and/or Owner. Any unpaid fines will be withdrawn from the Construction Compliance Deposit retained by The Settings of Black Mountain.

Besides the dollar amount of the fines, the owner/builder will be required to pay for any expenses necessary to bring subject property into compliance with the DRB Standards and Building Guidelines. The list of violations and amounts are subject to change by DRB recommendation and HOA Board approval, with the effective date specified in the document footer.

Local, County, State or other governmental entities may levy additional fines, as allowed by ordinance, in addition to the DRB Fine Schedule.

Contact Information for DRB members

See Attachment 1 for the current members of the DRB. Submission of documents should be made to the Chairperson or another member designated by the Chairperson.

Attachment 1

Design Review Board Roster at time of this document revision. Please see the IPM website for a current roster.

Kristin Holcomb - Chair
krholcomb@bbandt.com, holcomb@tarivell.com

Karen Allan
karodallan@aol.com

Joanne Brannon
joanne.johnston@bellsouth.net

Karen Gosnell
kcgosnell414@gmail.com

Griff Jones
Gjones70@att.net

Attachment 2

FOR ILLUSTRATION USE ONLY

Living Room
Kitchen
Dining Room
Hall
Bath
Stairs

Scale: 1/4" = 1'-0"

PRELIMINARY - NOT FOR CONSTRUCTION

<p>A-1</p>	<p>SAMPLE</p> <p>????, NORTH CAROLINA</p>	<p>PRELIMINARY - NOT FOR CONSTRUCTION</p>
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HURT
ARCHITECTURE
of PLANNING

110 GARD
AVENUE
S. L. A. C. N.
MORRISTOWN
N.C. 28771
F. H. H. E.
828.462.7250
A. A. N.
201.687.7742

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