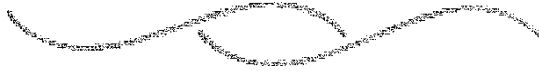


DOCUMENT #3



THE SETTINGS OF BLACK MOUNTAIN

DESIGN REVIEW APPLICATION, AFFIDAVIT AND CONSTRUCTION SITE GUIDELINES

Send Completed Documents by email to Chair of the Design Review Board:

Chair: Sheri Nasca
Email: sobmdrb@gmail.com

Please mail all fees to:

The Settings of Black Mountain Association, Inc.
c/o IPM Corporation - Attention: Jane Fuqua
P. O. Box 580
Arden, NC 28704

*Make check payable to The Settings of Black Mountain Association, Inc.
*Note your Lot #/Address on check

Checklist for Design Review Submittals

Preliminary Submission Requirements:

- _____ A. Site Plan at either 1" = 20' or 1" = 10' scale. Setbacks, easements, driveways, and building locations must be clearly shown
- _____ B. 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
- _____ C. All elevations illustrated on topographic site plan either 1/8" = 1' or 1/4" = 1' scale
- _____ D. All proposed exterior materials must be noted and clearly delineated
- _____ E. Window types and grille patterns must be clearly shown
- _____ F. All roof pitches must be indicated. Heated and unheated/unfinished areas for each level must also be indicated with total numbers
- _____ G. Access to street, driveways, parking area, sidewalks, paths, decks, and patios with elevations indicated
- _____ H. Non-refundable \$1250 Design Review Fee and Landscape Fee made payable to The Settings of Black Mountain HOA delivered to IPM at the address listed on the cover of Document #3
- _____ I. Document #3 - Application, Affidavit and Construction Site Requirements attachment

Final Construction Document Submission Requirements:

- _____ A. Final Site Plan, Final Elevations, Final Construction Documents
Including height from grade to roof, porches, decks, railing with details, foundation and screening detail if applicable
- _____ B. Final Staking
- _____ C. Final Excavation Clearing and Grading Plan
- _____ D. Complete Material Identification for main and any ancillary structure
- _____ E. Plan showing placement of construction debris bin, portable toilet, construction vehicle parking
- _____ F. Erosion and Drainage Control Plan and any water plans required by the Town of Black Mountain or Buncombe County
- _____ G. Final Landscape Plan must be submitted to the DRB no more than 180 days from submittal review or no less than 60 days prior to anticipated completion of construction.

**THE SETTINGS OF BLACK MOUNTAIN
DESIGN REVIEW APPLICATION**

Date _____ **Lot Number** _____

Phase _____ **Property Owner** _____

Builder _____ **Spec/or/Custom** _____

Builder Address _____ **Owner Address** _____

Phone _____ **Phone** _____

Fax _____ **Fax** _____

E-Mail _____ **E-Mail** _____

Emer. Cont.# _____ **Emer. Cont.#** _____

Proposed Start Date: _____ **Proposed Completion Date:** _____

Construction Supervisor _____ **Architect/Designer** _____

Name _____ **Name** _____

Phone _____ **Phone** _____

E-Mail _____ **E-Mail** _____

Landscape Designer/Installation Company

Name _____

Phone _____

E-Mail _____

SPECIFIC SITE SPECIFICATIONS

Minimum Setbacks: Front _____ Rear _____
(Required) Left Side _____ Right Side _____
Corner (if applicable) _____
Two Street Frontage (if applicable) _____
Steep Slope Lot Setback (if applicable) _____

Maximum Setbacks: Front _____ Rear _____
(Required) Left Side _____ Right Side _____
Corner (if applicable) _____
Two Street Frontage (if applicable) _____

SQUARE FOOTAGE

Heated/AC Area Main Structure _____ **Garage SF** _____

Decks/Porches/Sq. Ft. _____

Lower Floor HVAC Space _____

Main Floor HVAC Space _____

Upper Floor HVAC Space _____

Style of House 1 Story ___ 1.5 Story ___ 2 Story ___ 3 Story ___

Basement: Finished ___ **Unfinished** ___

Garage: Attached ___ **Detached** ___

Total # of Rooms _____

Roof Pitch _____

Finished Lower Floor to Roof Ridge _____

Finished Lowest Grade to Roof Ridge _____

COLORS/MATERIALS/FINISH SPECIFICATIONS

Please fill in all the blanks and attach samples where indicated:

***ROOF/TYPE**

Manufacturer _____

Type/Warranty _____

Color _____

***EXTERIOR WALL MATERIALS/LOCATIONS**

Material Type(s) _____

Specific Locations _____

FASCIA/SOFFIT

Specifications _____

Finish _____

Color _____

TRIM/ACCENT/DETAILING

Specifications _____

Finish _____

Colors _____

FRONT DOOR(S)

Manufacturer _____

Material _____

Color _____

*** Sample Board will be required during construction**

GARAGE FOOR (Carriage Style Only)

Manufacturer _____ **Style Detailing** _____

Site/Location _____ **Color** _____

***WINDOWS**

Manufacturer _____ **Frame Color** _____

Style _____ **Reflectivity** _____

SHUTTERS

Manufacturer _____ **Material** _____

Color _____ **Specifications** _____

DECKS/PORCHES

Specifications _____ **Materials** _____

Type _____ **Finish/Color/Stain** _____

****DRIVEWAY**

Materials _____

Finish _____ **Color** _____

(on site sample)

WALKWAYS

Materials _____

Finish _____ **Color** _____

EXTERIOR LIGHTING

Location _____

(must be shown on site plan)

Type of Lighting _____

**Installation Review Required

RETAINING WALLS

Location _____
(must be shown on site plans)

Materials _____ **Color** _____

LOT/GARAGE SPECIFICS

GARAGE: (Check all that apply)

- Side Loading**
- Courtyard Entry**
- Rear Loading**
- Front Entry (Requires DRB Approval – Site Specific)**
- Detached Garage**
- Drive Under - Basement Garage**

LOT: (Check all that apply)

- Cottage Lot**
- Park Setting Lot**
- Estate Lot**
- Grand Estate Lot**
- Corner Lot** **Bordering Multiple Streets**
- Creeks or Streams on Lot**

Property Owner/Builder Affidavit

I hereby certify that I will construct the above dwelling in accordance with the design criteria and representations made on this application, including plans, specifications and oral representations. All SOBM Design Standards as well as all governmental requirements will be adhered to by all parties. I understand all changes to previously approved plans require resubmission and approval.

Builder's Company Name

Owner's Name

Builder's Signature

Owner's Signature

Lot #/Phase _____

Date _____

Below For Design Review Committee & Board Use Only

Date Rec'd _____

Date Reviewed _____

DRB Rep _____

Board Rep _____

The Design Review Board has reviewed the foregoing application and rendered the following decision:

___Approved___ Disapproved___ Pending Modifications/Approvals

__ The Board of Directors has reviewed the foregoing application and rendered the following decision:

___Approved___ Disapproved___ Pending Modification/Date: _____

Attachment to Document #3 - The Settings of Black Mountain
CONSTRUCTION SITE REQUIREMENTS AND GUIDELINES

1. No sign or banner of any kind is allowed unless designed and/or approved by the DRB. The Builder is responsible for paying for and installing the permit sign and the lot sign. Signs are to be installed facing the street and shall remain properly maintained throughout the construction process by the Builder. No subcontractor signs are allowed. For Sale/For Rent signs are prohibited. Signs must be kept in like-new condition and refurbished when needed or replaced at the builder's expense.
2. All job sites will be kept in a clean and orderly condition. The placing or storing of materials in the streets, swales, right-of-way or natural areas is not allowed. No dumping or washing of any concrete is allowed anywhere within The Settings of Black Mountain.
3. Construction debris bins are required on all job sites. Bins are to be located on the construction project site; not on adjacent lot, street or common property. Installation of tarp covers on debris bins upon leaving job site at the end of the work day is required. This prevents scattering of debris around the home site, as well as prevents others from using the Builder's bins. Debris bins shall not be allowed to overflow and shall be emptied as soon as they're filled. No food, food waste or wrappings may be placed in the debris bin or left in an unsecured home overnight. This creates a lure for the bears and can be very dangerous. Daily, ensure nothing has blown or scattered to surrounding property.
4. Construction hours are from 7 AM to 6PM Monday through Friday, Saturday 9AM to 4PM. No construction will be permitted on Sunday. Any builder or subcontractors deviating from the approved construction days or times will be removed. No work on the following holidays: Christmas Day, Thanksgiving Day, New Year's Day, Memorial Day, Fourth of July, and Labor Day.
5. If a separate construction entrance is provided, it must be used by all builders and their subcontractors for job site access.
6. All Builders will provide a 24-hour Emergency Phone Number to be kept on file with the DRB and management company. All subcontractor lists are to include approved personnel with names and contact number of each and must be provided to the DRB by the Builder for approval prior to commencing construction on the job site.
7. No construction site trailer may be placed on any home site or within the community, unless the DRB has granted written permission, approved the trailer and site location.
8. Construction vehicles and trucks must park on the construction site or on the paved street along one side of the road opposite the fire hydrants. Parking on adjacent lots and common area is not allowed. Vehicles or equipment of the Builder and their Subcontractors shall not block any driveways, roadways, mailboxes or fire hydrants.

9. Utility pipes and sidewalks are installed in the right-of-way, so heavy equipment could cause damage. Builders or their Subcontractors who park vehicles or equipment within common areas or adjacent home sites or causes any damage in the right-of-way, will be held responsible for the costs incurred by the Association restoring said elements or areas to their original condition.
10. Portable restrooms, which are placed temporarily on a home site during construction, shall be located as far back on the lot as possible and still gain service access. The open side of the enclosure and corresponding restroom door shall face inward toward the home under construction. The unit may not be placed on the roadway.
11. Once all required permits are obtained, the Builder is to stake the lot/flag the limits of the lot clearing and obtain DRB representative site approval before cutting any trees. Before grading begins, the Builder will install safety fencing marking the building envelope and tree protection fencing, and silt fencing around the entire perimeter. Careful consideration needs to be exercised in regard to feeder roots of the trees and extend protective fencing to the drip line at the tips of the branches. Special care needs to be exercised to prevent encroachment onto easement areas including vehicles, equipment and personnel. No construction drainage is allowed in the storm sewer system.
12. Should any blasting be required for any work on individual home sites, the appropriate local, county, state or federal permits and requirements are the responsibility of the Builder. Copies of all such permits and requirements are to be delivered to the DRB for review a minimum of 3 business days prior to commencing blasting work.
13. No alcoholic beverages or illegal drugs are permitted on any job site. Violators will be removed from the job site and escorted from the community. Owners/builders are responsible for the conduct of said individuals while in the Settings.
14. No hazardous material or fire on construction sites is allowed within The Settings.
15. The possession or discharging of firearms on the property is prohibited.
16. Playing of loud music or noise is prohibited. Music and noise should not be able to be heard outside the home. Continued violation could result in removal from the property.
17. The Association prohibits the bringing of animals onto the property, either by the Builder, Subcontractor, or their representatives. Builders, Subcontractors or their representatives are not allowed to have children or minors on any job site.
18. The streets should be swept at the end of each day to remove any construction debris, dirt, rocks or litter as well as any cigarette butts or trash.
19. Storing or parking of equipment or vehicles on any street overnight is prohibited. The Association may tow vehicles that are parked in violation of these guidelines at owner's expense. The Builder or Subcontractor should consult with a DRB representative if unsure as to proper location for vehicles and equipment on specific job sites.

20. Builders, Subcontractors and their representatives should take all precautions for the prevention of unnecessary accidents. In the event that loading or unloading of materials and equipments should take place on curves, intersections, steep roads, or blind driveways; flagmen and warning flags and cones must be used.
21. Excessive speed within the community is prohibited and shall not exceed 25 mph; it will be enforced. It is the responsibility of the builder to inform subcontractors and supply delivery vehicle drivers of this fact as the owner and builder will be held accountable. Continued violation can result in fines and permanent removal from the community.
22. Owners/builders must inform their crews, subcontractors, and delivery personnel that vehicles, including delivery trucks, are not to use owners driveways as turn-around points.
23. Any Builder, Subcontractor or their employees and/or representatives who violate site guidelines requirements, to include DRB criteria, may be prohibited from entering The Settings of Black Mountain by the Board of Directors or the DRB. It is the sole responsibility of the Builder to provide all of his subcontractors and representatives with a copy of these Construction Site Requirements, and ensure they are following the guidelines.

Location of Construction: _____ / Lot # _____

Builder's Acknowledgement: _____ / Date: _____

Owner's Acknowledgement: _____ / Date: _____