

# **Architectural Guidelines**

**For**

# **Wolf Laurel Resort**

**Architectural Review Board  
63 Village Lane  
Mars Hill, NC 28754  
828-680-9162**

**Revised and approved by Wolf Laurel Road Maintenance and Security  
Homeowners Association  
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# **1. INTRODUCTION: THE ARCHITECTURAL REVIEW BOARD AND THE ARCHITECTURAL GUIDELINES**

## **1.1 Purposes and Composition of the Architectural Review Board (ARB)**

The Architectural Review Board (ARB) has been established to provide consistency, compliance and equity in the implementation of policies, plans, and conditions of the Covenants, Restrictions, and Reservations of the Wolf Laurel Road Maintenance and Security Homeowner's Association, Inc. (Association), the Architectural Guidelines, and other documents pertaining to the physical development of Wolf Laurel.

The ARB will serve to ensure compliance with protective restrictions and the compatibility of construction, design and maintenance of homes on the mountain.

The ARB consists of no less than five members who are homeowners at Wolf Laurel. Members of the ARB are appointed by the Association or its designees and serve at the will and the pleasure of the Association. Members of the ARB will have an equal vote with the majority constituting a decision.

The ARB is assisted by an **ARB Administrator** with duties to advise owners in the application process and to monitor application compliance during construction. The Administrator has authority to accept or reject an application or to insist on compliance with the Architectural Guidelines and other documents pertaining to the physical development of Wolf Laurel.

Should a property owner disagree with a decision made by the Administrator, the owner may request in writing a review by the ARB. Should the owner disagree with the ARB's denial decision, the owner may submit a written appeal to the Association.

## **1.2 The Purpose of the Architectural Guidelines**

The purpose of developing a set of Architectural Guidelines is to maintain the architectural character and aesthetics of Wolf Laurel so that structures and materials are compatible with the dwellings and overall architectural style of the Wolf Laurel community. This assures the continuity of character and appearance of our community, and enhances the overall value of every property.

Property owners of Wolf Laurel have agreed, pursuant to the duly recorded Covenants, that the ARB may adopt reasonable architectural standards, rules and regulations. Therefore, all owners shall be bound by the ARB's Architectural Guidelines.

To ensure compliance with the current Architectural Guidelines, owners are advised to contact the ARB Administrator prior to filing an ARB Application. The ARB Administrator will answer any questions concerning the architectural review process and will be the liaison between the homeowner and the ARB.

### **1.3 Types of Construction Requiring ARB Approval**

**New Home:** Construction of every new home requires approval from the ARB before ANY modifications to the property are begun.

**Post Construction of Home:** Repairs, renovations, alterations, improvements or changes to an existing home or grounds that require approval from the ARB before any work begins include:

- Any changes to exterior colors or finishes, exterior lighting, room additions, garages, storage sheds, driveways additions or modifications, retaining walls, fences, landscaping, or hardscaping.
- Any interior alterations requiring large hauling equipment that might damage common roads.
- All tree removal and trimming.

### **1.4 Application Review and Approval**

The ARB will review an owner's application within 14 days and not more than 30 days from receipt of an acceptable application. Notification and approval of an application by the ARB shall be dated and in writing. Construction must commence prior to the expiration of 12 months from application's approval. If construction is not commenced within 12 months of approval, a new application and fees are required.

Plans submitted for review, or any portion thereof, may be disapproved upon any grounds, which are deemed by the ARB to be inconsistent with the general covenants and/or design guidelines.

In the event that approval is neither granted nor denied within 60 days following submission to the ARB, the applicant may send a demand for action by certified mail. If the application is neither granted nor denied within 10 days of receipt of such demand, the application shall be deemed approved without further action of the Architectural Review Board.

## 1.5 Failure to Obtain ARB Approval

Failure to obtain the necessary approvals prior to new, or changes to existing, construction may:

- Constitute a violation of the Declaration of Protective Covenants, Restrictions and Reservations.
- Result in a fine being levied against the property of up to \$100/day from the beginning of construction until a proper permit is applied for and approved.
- Require modification or removal of unauthorized work at the expense of the homeowner.

**NOTE:** Building Permits issued by the Yancey or Madison County Building Departments or other governmental agencies do NOT assure or replace the approval of the Wolf Laurel ARB.

## 1.6 Indemnity and Non-Liability

The Association, the ARB, and any of their employees or consultants are not responsible for any design, engineering or sale-ability of the approved new home or changes to an existing home. Review is for aesthetic and site layout consideration only.

## 2 NEW HOME CONSTRUCTION

### 2.1 Process Overview for Owner and Contractor

- Become familiar with the Covenants and Architectural Guidelines of Wolf Laurel.
- Prepare a Site Survey of the proposed home site. (See Section 2.3.)
- Stake out the home site to match the proposed Site Plan.
- Optional: Make an appointment for a pre-application conceptual consultation and review with the ARB Administrator. If an architect or designer has been selected, he/she may attend as well.
- With an architect or designer, develop a home plan that will meet the requirements of the Architectural Guidelines. Assemble all the information for the Application Submittal.
- The ARB will schedule a Final Plan Review of the application, normally within 2 weeks, but may take up to 30 days after receipt of an acceptable Application. The ARB Administrator will review all material submitted, visit the site to examine the stake out, and either approve the application or recommend needed changes.
- If necessary, modify plans to incorporate any ARB recommendations, and then re-submit them as necessary to obtain final approval to begin construction.

- Obtain a building permit from Yancey or Madison County.
- Ensure that the General Contractor is familiar with the Construction Guidelines in Section 3 of this document and is willing and able to fully comply with them.
- Monitor the actual construction to ensure that it remains compliant with these Guidelines.

## **2.2 Fees and Deposits for New Home Construction**

**Application/Inspection fee:       \$2500-\$3500 due with application  
(non- refundable)**

The application/inspection fee will be determined based upon the number of staff hours needed to administer the application and make site visits to ensure compliance with the Architectural Guidelines. Factors that affect the fees include the complexity of the application and site plan, the location and the grade of the site, the type of construction, the number of site visits at each stage of construction, the need to develop an equipment and materials staging plan, and the need to have a traffic management strategy to keep roads and rights-of-way clear so that traffic flow is not impeded.

Applications will be reviewed and a decision rendered within 14 to 30 days from the date received in the ARB office. Construction must begin within 12 months after plan approval and completed 24 months after project commencement.

Any change or variation of the project from the original application will require resubmission of an application to reflect the modifications. The new application may require additional fees for review and inspection. Failure to notify the ARB of plan modifications and/or failure to submit new application materials may result in a fine of up to \$100/day until the revised application is submitted and approved.

**Construction Fees Deposit:       \$3000 deposit due with  
submission of certified site plans**

Fees charged against this deposit are of three kinds.

The first deduction from this deposit will be for the ordinary wear and deterioration caused by heavy equipment and material loads traversing Wolf Laurel roads. The ARB Administrator, in consultation with the owner and the contractor, will calculate the total fee based upon the estimate of the number of heavy equipment vehicles to be used and the amount of materials to be delivered for the project. The ARB Administrator and the Security gate staff will adjust this estimate based upon actual usage as the project proceeds to completion as monitored. The fee schedule for heavy equipment and materials is as follows: Single rear axle dump truck or delivery truck: \$20, tandem axle dump truck or delivery truck: \$30, heavy equipment on truck and trailer: \$40, and

Crane fee: \$100.

The second deduction from this deposit will be for any excessive damage to Wolf Laurel roads determined to be directly attributable to the construction project and that has not been repaired to the satisfaction of the ARB by the owner or the owner's contractor or workers. In some instances, the success of needed repairs cannot be immediately determined as the affected section of the road(s) must be subjected to extended traffic and weather conditions in order to determine the effectiveness of the repair. In these instances, a portion of the deposit will be kept in escrow for up to six months after the initial repair has been attempted in order to ascertain its adequacy and durability.

The third fee that may be deducted from this deposit is for failure to comply with the construction rules and regulations set forth in the Architectural Guidelines. Fees may be assessed at up to \$100 per incident and doubled or trebled for repeated non-compliance.

The deposit must be replenished as necessary in order to maintain a minimum reserve of two-thirds of the original deposit until the ARB has completed its final project review and approval.

If no excessive road damage occurs, the deposit will be returned less the fees deducted for ordinary wear and deterioration and/or non-compliance as explained herein.

## **2.3 Key Application Requirements and Regulations**

### **Site Plan**

A Site Plan should be prepared which includes at a minimum all of the following information: a drawing showing the dwelling and any separate structures and showing at a minimum the perimeter of the Construction Footprint and its location with respect to the Boundary Survey as well as the following:

- North Arrow
- Streets and right of way
- Utilities and easements
- Setbacks

The Site Plan may incorporate a Boundary Survey, or may reference it separately, provided the location of all Site Plan information with respect to the Boundary Survey can be readily determined by the ARB.

### **Site Clearing**

After the location of the home on the lot has been approved by the ARB, limits of



construction should be determined and marked not to exceed the Construction Footprint. The Construction Footprint includes: (1) the land area actually occupied by any approved building(s) plus 30 feet in all directions from the building perimeter, (2) an approved driveway plus 10 feet in all directions from the driveway centerline and (3) an approved Septic Tank, lines & drain field plus 10 feet in all directions from the centerline.

Total alterations of existing vegetation for building and site improvements are not to exceed 59% of the lot acreage. This includes any decks, patios, landscaped lawns, new plantings, driveways, and the house. Mitigation areas in excess of 50% are to be stabilized and replanted with native plant species. Tree removal is strictly regulated.

## **Staging Plan**

All construction, material storage, equipment storage, and vehicle parking must be kept on the permitted lot and outside of the road and/or road right-of-way. A staging plan must clearly identify the site to be used. The ARB will only allow use of the road and/or the road right-of-way if an application is made in advance, which specifies the time and day an exception is needed. The application must also demonstrate that proper traffic control and signage will be provided.

## **Stake Out**

The location of the house must be clearly staked on the lot. This is a rough stake out to show the ARB the basic location of the main foundation corners. The centerline of the driveway and location of any parking turnarounds or courts should also be clearly staked. Stakes must be 2' to 4' high and 2 inches wide (nominal) across their widest dimension.

All stakes should be clearly visible from the road or a readily accessible vantage point. It is not necessary for these stakes to be set by a Licensed NC Land Surveyor however; some will do so at no extra charge if they are selected to prepare the Boundary Survey and/or Site Plan.

## **Style of Home**

The standards and guidelines discussed here are heavily influenced by the intent of the ARB to maintain and preserve the natural character of the mountains. It is also the desire of the ARB to see that those building forms become part of the landscape. Therefore, native materials, colors and forms are appropriate. Stone, heavy timbers, textured shingles, insulated glass for viewing, wooden decks and muted earth tone colors help to achieve these objectives.

Some structures and materials are difficult to assimilate into the mountain setting or may have a perceived negative impact upon surrounding homes. Owners and their architects are encouraged to develop plans which help to integrate the home with the

site in a traditional blending of man-made and natural materials.

The Covenants, Article IV, 4.4 allow prefabricated, component type or partially constructed homes such as log homes, if approved by ARB and meet the local and Southern Building Code.

## Building Size

Each one-story dwelling unit must exceed 1,200 square feet of heated living area. Each multi-story dwelling unit must have a minimum of 1,000 square feet of heated living area on the first floor.

- **Single-Story - Minimum TOTAL Living Area** **1,200 SF**
- **Multi-Story - Minimum FIRST FLOOR Living Area** **1,000 SF**

Garages must fit the style of the residence. Garage doors should add character to the aesthetics of the residence. Accessory buildings such as tool sheds are discouraged. If approved, they must blend unobtrusively with their surroundings.

## Building Height

Each building submitted for review will be analyzed according to site topography and views from adjacent roads and structures. Structure height shall be no more than 2.5 stories in height and a maximum of 35' from the finished floor elevation of the lower level or crawl space to the peak of the roof. Variances for excessively steep slopes may be considered.

## House Orientation

Wolf Laurel has a variety of views and climatic exposure. The buildable area varies on each lot, which we hope will help to avoid regimentation.

When positioning the home on the lot, one should consider the following:

- Preservation of major tree and rock outcroppings
- Natural drainage features
- Prevailing winds

## Setbacks

The following are typical setback standards that govern both horizontal and vertical construction elements, with the exception of driveways and walkways. Building setbacks are measured horizontally from property lines:

- **Setbacks:**  
**Front Yard (and any Road Side)      20 feet**

**Side Yard**  
**Rear Yard**

**25 feet**  
**25 feet**

No land disturbance or tree cutting is permitted within the setback areas.

Setbacks may be modified to respond to unusual and actual site conditions (steep slopes, rock outcroppings, monumental trees, etc.) but this requires a formal Variance with specific approval by the ARB and may be required to be filed with the County. If a Variance is requested, the applicant must submit evidence of a hardship. The ARB will notify by mail the immediate adjacent lot owners of the subject lot of the request and give them ten days to respond with their approval or objection. The ARB will then approve or deny the Variance request based on the facts of the hardship presented.

## **Utility Easements**

All lots have ten (10) foot easements along lot lines for utility and drainage purposes. Within such ten (10) foot strips of land, the Association and its successors and assigns shall have an easement for the purpose of installing, maintaining, and repairing utility lines, facilities, and services; which may include but are not limited to those necessary for water, sewer, electricity, gas, and telephone, cable TV and satellite services.

## **Driveways**

It is the goal of Wolf Laurel to limit the impervious cover of the ground to the minimum needed, especially around existing trees. Accordingly, excessive areas for driveways will be discouraged.

Efforts should be made to minimize disturbance. Meandering the drive to lessen the slope and to avoid cutting trees is recommended. Where practical and not prohibited, driveways should enter the property from the uphill side of the building.

All driveways and parking areas must be surfaced. Surfaces such as asphalt, gravel and concrete are recommended.

Driveways must be located and designed to minimize the effects of adjacent property.

Driveways will not be allowed to exit onto major roads such as Buckeye, Big Bald Road, Buck House or Wolf Laurel Road where any other road provides access to the property.

Wherever possible, driveways should provide turn-a-rounds so that access and egress to and from a home is by forward motion of the vehicle.

Driveway connections must not block or divert roadside drainage. Damage caused by improperly installed driveway connections is the responsibility of the Homeowner.

Driveways must not encroach on the driving surface of the road.

Driveways must include a culvert (18 inches minimum) if it crosses the road drainage system.

Driveways must effectively divert all runoff from the property into road drainage system.

Must not create problems of any kind for Wolf Laurel roads or neighbors.

## **Grading, Drainage and Erosion Control**

To preserve the development goals of Wolf Laurel, site grading and alteration of existing drainage shall be kept to a minimum. Any necessary grading shall maintain a natural appearance.

Grading shall not encroach upon the drip lines of trees to be preserved unless tree preservation techniques such as tree wells are utilized. Heavy equipment or topsoil storage is not permitted within the drip line zones. Contractors shall only clear area to create a building pad. Homes shall be designed to work with existing grade. Retaining walls may be used to reduce areas that need grading or to preserve vegetation; however, they must reflect the architecture/materials of the house and be well integrated into the site. Walls of stone or filled with native stone or well-kept heavy timber are acceptable. Concrete block or poured concrete walls are unacceptable unless finished in a manner satisfactory to the ARB.

Site work construction should follow acceptable practices as a method of controlling runoff and erosion. Runoff during construction must not cause damage to adjacent properties. Erosion control devices such as temporary silt fences will be required throughout the construction process and must be maintained in workable condition.

In addition, there shall be no direct channeling of runoff into adjacent lots from home rooftops or other impervious surfaces. Diversion of runoff into existing natural swales and along property lines is encouraged.

All soil areas that are disturbed during site work construction must be stabilized within 30 days of disturbance, then mulched and planted with indigenous species to return the site to its original condition to the extent possible. All driveway slopes and building pad slopes shall be hydro seeded if severe or manually seeded if not severe within five days of disturbance.

## **Exposed Foundation Finish**

All houses must have native stone, earth tone brick or stucco foundations. Exposed concrete block will not be allowed. Stone shall be native stacked stone or native stone veneer.

In some cases, stucco may be required to be painted to blend with the final siding material color. Additionally, on extremely high foundation walls, a special design may be required to cover a significant portion of the foundation materials in order to create visual breaks and minimize the appearance of excessive foundation.

## **Exterior Wall Material**

Generally, the fewer materials and colors utilized on the exterior of a house, the more cohesive the structure becomes, contributing to the objective of fitting a house into its natural surroundings. To the extent possible, stone native to the area and in tones of earth colors should be utilized. The use of more than one type of exposed masonry material can be used if tastefully and proportionately used.

Because of their softer appearance and capacity to blend into the site, cedar, pine, cypress or redwood siding in a variety of configurations are recommended as exterior finishes. Wood shingles and solid logs are also allowed as an exterior wall finish, and various other materials, such as Hardiplank, may be used, providing that they satisfy the exterior color requirements and do not have a reflective finish. No reflective finishes should be used on exterior surfaces with the exception of hardware items.

## **Windows and Doors**

Windows shall be of sizes, types, materials and designs appropriate for the architectural style of the home. While insulated glass is recommended in all windows and doors, no mirrored film or unusual tinting will be approved.

## **Roofs**

Because of the mountainous terrain, roofs will be considered one of the most important visual elements by the Architectural Review Board. Roofs should be designed to reflect the character of the slope of the land and be adequately pitched for shedding water, snow and leaves. Steeper pitches (7 in 12 and above) are required in order to visually settle the house into the site. Overhangs should be considered for protection from sun and rain. High winds in certain locations should be kept in mind.

Wood shingles or shakes, composite shingles and sheet metal roofs are permitted. Metal roofs are subject to specific site, material and color approval. No bright colors will be allowed.

## **Chimneys**

All chimneys are recommended to have native stone, cultured stone, or stucco veneers. Exposed prefabricated chimney caps are subject to individual review. All other materials are to match and enhance the style of house.

## **Skylights**

Skylights will be considered for approval based upon their proposed location and number. They must be designed to be an integral part of the home.

## **Exterior Colors and Materials**

Exterior colors and materials will be carefully controlled. Actual samples of the colors and materials desired must be submitted to the ARB for preliminary approval before any of the materials are installed. In general, white or very light colors, including exposed natural aluminum finishes, will not be permitted. Anodized and other corrosion-resistant finishes within a range of earth tones are recommended. After preliminary approval of color sample, an on-site color sample may be required.

## **House Number and Signs**

No signs of any kind shall be displayed to the public view by any property owner. One sign of not more than two (2) square feet showing the E911 dwelling number, the name of Owner or Owners, and the name of the premises shall be permitted upon any lot.

## **Lighting**

Outdoor lighting will be carefully reviewed to assure that neighboring properties are protected from the view of bright light sources. Illumination necessary for evening activities must be directed downward and be only bright enough to provide for the safe traverse of steps and paths.

Whenever possible, functionally required lighting should be integrated into such features as steps, handrails, posts and curbs.

Pleasant accent effects can also be achieved through the use of landscape lighting. Accent spotlight fixtures directed up or down through tree foliage can provide low intensity but offer dramatic illumination of nearby pedestrian areas.

Landscape up lights should be unobtrusive in appearance or hidden from view. Lighting along driveways and paths should avoid the runway effect and have a mounting height no taller than three feet and use no more than 40-watt incandescent lamps. Exterior light fixtures on homes must be of a baffled design.

Exterior light fixtures, such as decorative wall mounted fixtures, Malibu lights, up lights, and light posts must be compatible with the design of the home and must comply with the following:

- Overly ornate light fixtures or commercial light fixtures that establish an independent theme conflicting with the overall street scene are not permitted.

- All flood lights and other fixtures with exposed light bulbs must be screened from view of the street and adjacent homes. All security light fixtures must be installed under the house eaves or otherwise screened from view, and the security light housing and conduit must be painted to match/blend with the adjacent surface color. In addition, security light fixtures must be oriented in such a way as to only illuminate the property of the homeowner installing the fixture.
- All outdoor lights other than porch lights or motion sensitive security lights shall be turned off no later than 11 PM.
- No new outdoor lights other than porch lights and motion sensitive lights shall be installed without approval of the Architectural Review Board.

## **Utilities**

Connections to the central water lines at the property line are the responsibility of the owner. Application for permission to connect should be made to Carolina Water Company.

The homeowner is responsible for any other materials, ditching/trenching, fill material, and labor to connect their residence to the tapping connections provided to the main line. Gas storage tanks must be buried or screened in an appropriate manner.

## **Landscape Planting and Natural Vegetation**

It is recommended that the existing terrain be left undisturbed to the greatest extent possible to preserve natural vegetation. While no tree over 8 inches in diameter three feet above the ground may be removed without permission of the ARB, particular care should also be taken to preserve the natural underbrush and ground cover so that the likelihood of soil erosion is minimized. General clearing of the site is not permitted. In all cases, the use of naturalized or indigenous plant materials and informal site plans are encouraged. All disturbed areas should be restored with grass, mulch or plantings.

## **Fencing**

In keeping with the concept of maintaining a natural environment throughout Wolf Laurel, border fencing is generally discouraged but not prohibited.

- No fencing is permitted along shared property lines without ARB approval.
- Fencing along property frontage is to be of natural material and color, i.e. split rail, rock or live trees.
- All chain-link fencing must not be visible from off-site of the locations.
- Sight blockage on non-living fencing shall not exceed 30% of total area and fencing height shall not exceed 42”.
- All fencing must be kept in a state of good repair.
- Stockade type or view obstructing fencing is not permitted.
- No electric fencing is permitted except for invisible electric fencing for pet control.

Animal deterrent wire to separate specific areas of the property is allowed. Where visible from off-site, it should be unobtrusive.

## **Landscaping and Tree Preservation**

The following landscape and site work should be avoided:

- Unwarranted removal of specimen trees
- Property lines defined by clipped hedges or “in-line” planting
- Intensive use of plants with forms or colors not native to the area.
- Earth removal or stockpiling that threatens existing trees.

## **Tree Removal Plan Requirements**

The ARB will consider the proposed Site Plan in light of the trees it would destroy. The conservation of as many existing trees as possible is desired. If a tree is to survive, its roots, bark and leaves must be largely undamaged. Grading occurring within the drip lines of trees should be minimized. When it is necessary to lower the grade adjacent to a tree or group of trees, the cut should occur outside the drip line. In order to save as many trees as possible in disturbed areas of the site, the following is encouraged.

- Barricade around those trees to be saved at least 6 feet away from the trunk.
- Fertilize roots with slow release fertilizer, which is high in phosphorous and potassium.
- Use a 4-inch depth of hardwood mulch around drip line.

Once the ARB approves the application, authorization to remove any and all of the trees within the Construction Footprint is granted.

A Tree Removal Plan must be submitted to gain approval to remove trees which are outside of the Construction Footprint, and which are 8 inches in diameter or greater at 3 feet above ground level. A Tree Removal Plan may be incorporated in, or otherwise related to, the Site Plan. It must indicate definitively by marker, paint or otherwise, the location and diameter of every tree to be removed which is 8 inches in diameter or greater at 3 feet above ground level.

The Driveway should be shown on Tree Removal Plan.

Tree cutting debris, including all logs, must be consumed or managed on owner's property or removed from Wolf Laurel. **NO DUMPING OF LOGS OR DEBRIS ON VACANT LOTS OR IN THE ROADWAYS OR DITCHES IS PERMITTED.** Such dumping may subject the lot owner to a \$100 fine per



occurrence per day and costs of cleanup.

Any healthy trees outside the Construction Footprint, which are cleared without permission, may result in fines or other additional remediation, including reforestation. Reforestation is defined as replacement of a like species, 4 inch caliper/diameter at 3 feet above ground and verified to be a living tree one year from date of planting.

Any single tree violation may subject the lot owner up to a \$100 fine per day until reforestation has been completed and approved by the ARB. Any mass cutting, to be defined as the cutting of more than six trees in violation of these regulations, will be considered clear cutting and the lot owner may be fined \$100 per day until reforestation has been completed and approved by the ARB. Contractors who violate this policy may be barred from doing business within Wolf Laurel. In either instance, mandatory reforestation of similar trees of a future height equivalent will be required at the lot owner's expense. If any said fines are not paid, or reforestation is not in place, a lien may be placed against the said property.

The removal of trees within the Construction Footprint, removal of trees with prior approval of the ARB or any construction activities that cause damage to another tree not approved to be removed to the degree they are not totally viable will be considered the same as trees removed without permission.

Homeowners or Contractors who cause or permit such tree(s) to be removed without prior ARB approval may be assessed a fine of up to \$100 per tree per day until reforestation has been completed and approved by the ARB.

Disapproval of the Tree Removal Plan does not necessarily mean disapproval of the entire application. The Wolf Laurel ARB often disapproves extensive Tree Removal Plans while approving the associated construction project.

## **Stump and Brush Removal**

All excavated stumps and brush must be removed from the site. Burning of stumps, brush or other construction debris is not allowed. Violations are subject to \$100 fine per incident.

### **3. GENERAL CONSTRUCTION GUIDELINES**

In the interest of maintaining safety, as well as an appealing property image for residents and visitors, the construction process must be regulated. Contact the ARB Administrator for authorization prior to commencing work and to coordinate any services, which may be required.

### **3.1 Construction Start and Completion Deadlines**

Construction of residence must begin within twelve (12) months after plan approval and completed twenty-four (24) months after project commencement unless written approval is granted by the ARB prior to the deadline to provide for special circumstances. Approved landscaping must be in place within thirty (30) days of occupancy or completion of construction of the buildings.

### **3.2 Building Permits, Contractor's Tags and Deposit**

Approval from the ARB must be obtained before construction can begin. Contractors must be approved to do work at Wolf Laurel. Final building permits must be obtained from the Yancey or Madison County Building Inspectors Department. Contractors must provide a list of employees and sub-contractors to the Security Office to insure gate access.

### **3.3 Site Regulations**

For site protection, the following are required of all contractors:

Accepted Work Hours are:

7 a.m. to 7 p.m. Monday thru Thursday

7 a.m. to 5 p.m. Friday

8 a.m. to 4 p.m. Saturday

No work allowed on Sunday.

No heavy trucks allowed entrance before 8 a.m. or after 12 noon on Saturday.

Construction activities are permitted on occasion during non-work hours provided that any associated noise can be effectively contained within the jobsite and provided that no complaints are received from community residents. This must be discussed with the Director of Security in advance.

All reasonable means shall be taken during and after construction to protect and preserve existing vegetation.

Boards, permits or other material shall NOT be nailed or otherwise fastened to trees.

Storage, temporary or otherwise, of equipment or materials is not permitted within the drip line of trees (i.e., the area on the ground equal to the limits of vegetation above). All storage must be contained within the Construction Footprint of the site. Small construction trailers or signs must be pre-approved by the Architectural Review Board.

Sediment and erosion control provisions shall be employed during construction, as required by the State of North Carolina.

All planting, fixtures, signs, pavement and landscaping damaged during or after construction by vehicles, fire or other causes on or off site, including streets, shoulders and common areas, shall be repaired or replaced by the owner. **The owner is responsible for the contractor's actions during construction.**

Any clearing, grading or building on site without approval by the Architectural Review Board may result in suspension of work and denial of access to the contractor.

**During construction, all trash, debris and waste shall be contained daily and kept neat.** The Architectural Review Board reserves the right to have the site cleaned as needed due to noncompliance and the Owner will be back-charged the cost of such work.

The contractor is responsible for providing proper approved sanitation facilities for their workers. The contractor and/or contractor employees may be asked to leave the premises if these rules are not followed.

**Excessive noise, including loud radios and music, and any offensive language is prohibited.**

### **3.4 ARB Construction Inspections**

**Inspections during Construction:** Inspection while construction is in progress may be conducted by the ARB to ensure conformance with the approved drawings. Any deviation during construction from the approved drawings must receive prior approval by the ARB. Major changes may require resubmission for final approval.

**Final Inspection:** Final inspection will be made after the contractor has completed construction, including all site work and landscaping; cleaning the site of debris; removing contractor signage and any temporary utilities; and notifying the Architectural Review Board one week in advance of the expected completion date. **In addition, a copy of the Certificate of Occupancy from the county shall be provided to the ARB.**

## **4. POST CONSTRUCTION REPAIRS, RENOVATIONS AND IMPROVEMENTS**

### **4.1 Exterior Improvements and Renovations**

Any modification of existing construction or improvements by additional changes to the exterior of the house, driveway or landscaping must have prior approval of the Architectural Review Board. The original exterior color scheme of any home must remain the same unless written permission to change colors is given by the ARB.

To have an Improvement Plan reviewed, an Application along with all applicable fees must be submitted to the ARB (See Fee and Deposit Schedule). The ARB Administrator may be contacted regarding any questions about additions or changes to exterior elements.

### **4.2 Fees for Major Exterior Renovations, Repairs or Improvements**

An approved application shall be necessary for major repairs, upgrades, or any modifications that change the dimensions, the external appearance, or access to any existing building or to an existing driveway or wall, any addition to the existing footprint and/or surface, and significant landscaping or terrain modification. These include but are not limited to room additions, deck expansions, or the erection of a wall or hardscape with a surface of more than twenty (20) square feet. Prior approval is also necessary for any other modification of the property that includes any two of the following: excavation, tree removal, or use of heavy equipment.

**Application/Inspection Fee: \$50-\$650 due with application (non-refundable)**

The application/inspection fee will be determined based upon the number of staff hours needed to administer the application and make site visits to ensure compliance with the Architectural Guidelines. Factors that affect the fee include the complexity of the application and site plan, the location and the grade of the site, the type of construction, the number of site visits at each stage of construction, the need to develop an equipment and materials staging plan, and the need to have a traffic management strategy to keep roads and rights-of-way clear so that traffic flow is not impeded.

Applications will be reviewed and a decision rendered within 14 to 30 days from the date received in the ARB office. Construction must begin within 12 months after plan approval and completed 12 months after project commencement.

Any change or variation of the project from the original application will require resubmission of an application to reflect the modifications. The new application may require additional fees for review and inspection. Failure to notify the ARB of plan modifications and/or failure to submit new application materials may result in a fine of up

to \$100/day until the revised application is submitted and approved.

**Construction Fee Deposit:        \$1500 due with application**

Fees charged against this deposit are of three kinds.

The first fee deducted will be for the ordinary wear and deterioration caused by heavy equipment and material loads traversing Wolf Laurel roads. The ARB Administrator, in consultation with the owner and the contractor, will calculate the total fee based upon the estimate of the number of heavy equipment vehicles to be used and the amount of materials to be delivered for the project. The ARB Administrator and the Security gate staff will adjust this estimate based upon actual usage as the project proceeds to completion as monitored.

**The Heavy Equipment/ Materials Fee Schedule** is as follows: single rear axle dump truck or delivery truck: \$20, tandem axle dump truck or delivery truck: \$30, and heavy equipment on truck and trailer: \$40.

The second fee deducted from the deposit will be for any excessive damage to Wolf Laurel roads determined to be directly attributable to the construction project and that has not been repaired to the satisfaction of the ARB by the owner or the owner's contractor or workers. In some instances, the success of needed repairs cannot be immediately determined; the affected section of the road(s) must be subjected to extended traffic and weather conditions in order to determine the effectiveness of the repair. In these instances, a portion of the deposit will be kept in escrow for up to six months after the initial repair has been attempted in order to ascertain its adequacy and durability.

The third fee that may be deducted from this deposit is for failure to comply with the construction rules and regulations set forth in the Architectural Guidelines. Fees may be assessed at up to \$100 per incident and doubled or trebled for repeated non-compliance.

The deposit must be replenished as necessary to maintain a minimum reserve of two-thirds of the original deposit until the ARB final project review and approval. The deposit will be returned less the fees deducted for ordinary wear and deterioration, excessive road damage and/or for non-compliance as explained herein.

#### **4.3 Minor Exterior Renovations, Repairs or Improvements or Landscaping**

An approved application shall be necessary for minor changes to the exterior of the building, e.g. deck enclosure, replacement of roof, painting, window replacement, regrading of a driveway, or minor landscaping.

**Application/Inspection Fee:        \$25-100 (Non-refundable)**

The application/inspection fee will be determined based upon the number of staff hours needed to administer the application and to make site visits to ensure compliance with the Architectural Guidelines. Applications will be reviewed and a decision rendered within 14 to 30 days from the date received in the ARB office. Construction must begin within 12 months after plan approval and completed 12 months after project commencement.

Any change or variation of the project from the original application will require resubmission of an application to reflect the modifications. The new application may require additional fees for review and inspection. Failure to notify the ARB of plan modifications and/or failure to submit new application materials may result in a fine of up to \$100/day until the revised application is submitted and approved.

**Construction Fee Deposit:           \$750**

Fees charged against this deposit are of three kinds.

The first fee deducted will be for the ordinary wear and deterioration caused by heavy equipment and material loads traversing Wolf Laurel roads. The ARB Administrator, in consultation with the owner and the contractor, will calculate the total fee based upon the estimate of the number of heavy equipment vehicles to be used and the amount of materials to be delivered for the project. This estimate will be adjusted based upon actual usage as the project proceeds to completion.

The second fee deducted from the deposit will be for any excessive damage to Wolf Laurel roads determined to be directly attributable to the construction project and that has not been repaired to the satisfaction of the ARB by the owner or the owner's contractor or workers. In some instances, the success of needed repairs cannot be immediately determined; the affected section of the road(s) must be subjected to extended traffic and weather conditions in order to determine the effectiveness of the repair. In these instances, a portion of the deposit will be kept in escrow for up to six months after the initial repair has been attempted in order to ascertain its adequacy and durability.

The third fee that may be deducted from this deposit is for failure to comply with the construction rules and regulations set forth in the Architectural Guidelines. These fees include but are not limited to failure to keep the road right of way free of equipment and materials or debris and failure to observe work schedule hours. Fees may be assessed at up to \$100 per incident and doubled or trebled for repeated non-compliance.

The deposit must be replenished as necessary to maintain a minimum reserve of two-thirds of the original deposit. The deposit will be returned less the fees deducted for ordinary wear and deterioration and or for non-compliance as explained herein.

### **Heavy Equipment/ Materials Fee Schedule:**

Single rear axle dump truck or delivery truck: \$20

Tandem axle dump truck or delivery truck: \$30

Heavy equipment on truck and trailer: \$40

## **4.4 Fees for Interior Repairs, Renovations or Improvements**

No application/Inspection fee is required for interior improvements or renovation. However, the owner must submit an Interior Renovation application to the ARB before work is begun to determine if a Construction Fee Deposit will be necessary due to the use of heavy equipment or heavy material removal and/or delivery. If necessary, the following Construction Fee Deposit requirements obtain:

**Construction Fee Deposit:           \$600**

Fees charged against this deposit are of three kinds.

The first fee deducted will be for the ordinary wear and deterioration caused by heavy equipment and material loads traversing Wolf Laurel roads. The ARB Administrator, in consultation with the owner and the contractor, will calculate the total fee based upon the estimate of the number of heavy equipment vehicles to be used and the amount of materials to be delivered for the project. This estimate will be adjusted based upon actual usage as the project proceeds to completion.

The second fee deducted from the deposit will be for any excessive damage to Wolf Laurel roads determined to be directly attributable to the construction project and that has not been repaired to the satisfaction of the ARB by the owner or the owner's contractor or workers. In some instances, the success of needed repairs cannot be immediately determined; the affected section of the road(s) must be subjected to extended traffic and weather conditions in order to determine the effectiveness of the repair. In these instances, a portion of the deposit will be kept in escrow for up to six months after the initial repair has been attempted in order to ascertain its adequacy and durability.

The third fee that may be deducted from this deposit is for failure to comply with the construction rules and regulations set forth in the Architectural Guidelines. These fees include but are not limited to failure to keep the road right of way free of equipment and materials or debris, and failure to observe work schedule hours. Fees may be assessed at up to \$100 per incident and doubled or trebled for repeated non-compliance. The deposit must be replenished as necessary to maintain a minimum reserve of two-

thirds of the original deposit. The deposit will be returned less the fees deducted for ordinary wear and deterioration and/or for non-compliance as explained herein.

### **Heavy Equipment/ Materials Fee Schedule:**

Single rear axle dump truck or delivery truck: \$20

Tandem axle dump truck or delivery truck: \$30

## **5. POST CONSTRUCTION TREE TRIMMING OR REMOVAL**

Outside the construction footprint, no tree over 8 inches in diameter measured 3 feet above the ground may be trimmed or removed without an application reviewed and approved by the ARB.

Failure to obtain an approved application may subject the lot owner up to a \$100 fine per tree per day until reforestation has been completed and approved by the ARB.

Reforestation requires that a healthy tree removed without ARB permission be replaced with two new trees of a like species, 4 inch caliper at 3 feet above the ground, and verified to be living trees one year from date of planting. In addition, fines may be doubled or tripled for repeated violations by a specific property owner or his representative.

No dumping of logs or debris on vacant lots or in the roadways or ditches is permitted. Such dumping may subject the lot owner to a \$100 fine per occurrence per day and costs of cleanup. Failure to comply may result in a \$100 fine per occurrence per day and costs of cleanup.

Useable materials may be consumed or stored for use on site. Logs may be cut, split, and stored for fireplace or stove use. Smaller materials may be ground as mulch for landscaping usage. Materials not appropriately consumed on site must be removed from the property.

Dead trees may be cut, split, and stored for fireplace or stove usage and any debris ground as mulch for landscaping usage on site. Otherwise, it must be removed from the property.

A dead tree over 8 inches in diameter requires prior approval from the ARB before cutting.

The cutting of lower, diseased, or dead branches that does not endanger the tree is allowed without prior approval.



If a tree has been damaged or is threatening a structure, an emergency waiver may be requested from and granted by the ARB staff for the removal of said tree(s).

**APPLICATION FEE for one tree:                      \$25**

**APPLICATION FEE for two or more trees:    \$50**

## **6.    NEW CONSTRUCTION REGULATIONS THAT APPLY TO POST CONSTRUCTION RENOVATIONS AND IMPROVEMENTS**

The following sections of these Architectural Guidelines concerning construction of a new home also apply to post construction renovations and improvements.

### **Construction Guidelines**

#### **Tree Removal Overview**

#### **Tree Removal Plan Guidelines**

#### **Site Clearing**

#### **Stump And Bush Removal**

#### **Grading, Drainage and Erosion Control**

#### **Lighting**

#### **Landscape Planting and Natural Vegetation**

#### **Tree Preservation**

#### **Fencing**