

# **High Vista Community Architectural and Construction Guidelines**

*(Revised January, 2010)*

*High Vista Homeowner's Association  
P. O. Box 98, Arden, NC 28704  
828-890-0031  
E-Mail: [hvhoa@morrisbb.net](mailto:hvhoa@morrisbb.net)  
WebSite: [www.hvhoa.net](http://www.hvhoa.net)*



**HIGH VISTA HOMEOWNER'S ASSOCIATION, INC.**

**PO BOX 98**

**ARDEN NC 28704**

**Phone/Fax (828) 890-0031**

**e-mail: [hyhoa@morrisbb.net](mailto:hyhoa@morrisbb.net)**

**website: [www.hyhoa.net](http://www.hyhoa.net)**

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**January, 2010**

**TO: HIGH VISTA PROPERTY OWNERS**

Attached are the revised Architectural and Construction Guidelines for HIGH VISTA COMMUNITY. The Guidelines apply to lots, new construction, and alterations or additions to existing homes throughout the community.

You are encouraged to read the entire guidelines. The most important features are as follows:

Anyone intending to build a home or make alterations or additions to an existing home or lot in High Vista must first secure a building permit through the Housing Committee (HC) of the High Vista Homeowners Association.. No permit is required for repairs to an existing home. To apply for a permit, the property owner must provide the Housing Committee (HC) the following:

1. Two (2) complete sets of building plans, including exterior appearance, design, materials, color, dimensioned site plans showing the property lines, setbacks, easements, and proposed location of such building, drives, parking area, and landscape plans.
2. Building Permit is good for one year from date of issuance. Note: this date of issuance is also considered to be the official start date of construction.

A maximum of four three-month extensions may be issued. If all work except interiors is not completed after this 2 year period, a new permit must be obtained. See fee schedule in appendix. If there is a ninety (90) day period of inactivity on the building site, the building permit will be voided and a new permit will need to be issued.
3. Surety Deposit is submitted before a building permit is issued. This will be returned to the owner at construction completion. The surety deposit is subject to any deductions from final inspection, i.e. road damage from trucks, and requested by homeowner at completion of construction. If exterior construction and landscaping is not complete within two years of the building permit issue date, the surety deposit is forfeited and a new one must be made at the same time as the fee for the new building permit described above.
4. Security at gate will be checking all incoming traffic related to construction for a valid building permit or extension for entrance to our community.

5. A building permit for all alterations/additions will require approval of the HC as to plans, etc., and will be valid for one year. If heavy equipment is involved, a surety deposit is required.
6. Repainting of any structure or house in the community requires submission of a color sample to the HC for approval if a different color will be used. If a color change is proposed, approval must be obtained from the Housing Committee. No building permit is required for repainting.
7. All personal mailboxes (not to include cluster mailboxes in the Falls area) must have reflective numbers that are at least three (3) inches high for safety reasons as per the Mills River Fire & Rescue and the Sheriff's Department. Patio homes, townhouses and condos may also have yard stakes with reflective numbers or numbers on residences.
8. Driveways with a down slope from house to street must have a driveway surface drain to reduce water damage to the street and for safety reasons (ice, etc.).
9. All contractors for new construction must have an intermediate or unlimited North Carolina residential contractor's license. All owners must submit copies of contractor's intermediate or unlimited license and insurance certificate.
10. Only trees less than a 6" diameter, dead or alive, may be cut down without a permit.
11. See attached fine schedule for violations of various guideline requirements.

## TABLE OF CONTENTS

Why These Guidelines .....	5
What you need to know before you build a new residence .....	6
 <b>APPROVAL AND BUILDING PERMIT PROCESS</b>	
Description .....	6
Building Permit Submittal .....	7
Site Analysis .....	7
Site Plan .....	7
Elevations and Floor Plans .....	7
Details .....	7
Color Samples .....	7
Landscape Plans .....	8
Forms and Fees .....	8
Changes to Original Submission .....	8
 <b>DESIGN and CONSTRUCTION GUIDELINES</b>	
Provisional Site Development .....	8
Preconstruction Requirements .....	9
Signage .....	9
Stake Out .....	9
Preconstruction Checklist .....	10
New Residence .....	10
Building Setbacks .....	11
Building Size / Form .....	11
Materials and Colors .....	12
Support Facilities .....	13
Pools / Spas / Fountains .....	13
Boats and Campers .....	13
Trash Receptacles .....	13
Tennis Court .....	14
Appurtenances .....	14
Mailboxes .....	14
Landscape .....	14
Exterior Lighting .....	15
Surface Runoff .....	15
Requirements During Construction .....	15
Requirements After Construction .....	15
Existing Residence - Alterations / Additions .....	16
Procedure .....	16
Submittals .....	16
Drawings .....	16
Site Plan .....	16
Color Samples .....	16
Forms and Fees .....	17
Existing Homes Guidelines .....	17
Exterior Appearance .....	17
Signage .....	17
Repairs .....	17

GENERAL REGULATIONS

Conformance to Guidelines ..... 18  
Contractor's License..... 18  
Access to Property ..... 18  
Work Hours..... 18  
Conduct..... 18  
Construction Time Limit..... 18  
Site Grading ..... 18  
Driveway / Parking ..... 18  
Driveway / Road Intersect ..... 18  
Work Changes..... 19  
Open Burning..... 19  
Job Toilet ..... 19  
Site Dumpster / Material Storage..... 19  
Utilities..... 19  
Damage ..... 20  
Modular Housing ..... 20  
Awnings ..... 20  
Fencing..... 20  
Silt Fence Design and Installation ..... 21

APPENDICES

Construction Guidelines for Contractors ..... i  
Requirements for Issuance of Building Permit ..... ii  
Construction Application Deposit and Agreement ..... iii  
Typical Single Family Residence Lot Setbacks..... iv  
Building Permit Checklist..... v  
Provisional Site Development Checklist..... vi  
Review Process Form ..... vii  
Schedule of Fees ..... viii  
Schedule of Fines..... ix  
Supervisor Checklist ..... x  
Final Residence Checklist for Surety Deposit Refund..... xi

## **Why These Guidelines?**

High Vista is dedicated to preserving a unique and ecologically sensitive community. The architectural design and construction philosophy is that homes should generally be unobtrusive in form and color in order to complement their natural setting. No particular period, styles, foreign or geographic influences or traditional approaches are specifically endorsed or discouraged.

The Housing Committee (HC) is granted the power of establishing design guidelines through the Protective Covenants.

These Guidelines encourage construction of excellent architectural design and character appropriate to the surroundings and to the special conditions of climate and other environmental factors indigenous to High Vista. A strong sense of identity should be developed to create an attractive and harmonious addition to the community.

The Guidelines are intended to assist High Vista property owners during the design, construction and improvement of their residences. They are intended to protect the property values of all owners throughout the community. The review procedures provide a systematic and uniform review for all construction requiring architectural approval. These Guidelines are amended from time to time as necessary by the HC.

These guidelines are not intended to restrict, penalize or impede construction. However, repeated violation of these guidelines could result in the suspension of the building permit for that residence until the owner has taken corrective action. Additionally, an owner's Contractor who repeatedly violates either the letter or the "spirit" of these guidelines may be required to post a larger surety deposit or, in the extreme, be prohibited from future work in the High Vista Community. The surety deposit is refunded subject to any need for reduction. See appendices for schedule of fees. These Guidelines work in conjunction with the Covenants and apply to the entire High Vista Community. If there is any conflict, the Covenants shall govern.

**New Residences:**

Apply to the Housing Committee for a building permit. Provide: Review Process Form, Construction Application Deposit & Agreement Form, Building Permit Checklist, Site Plans, Elevations and Floor Plans, Color Samples, Landscape Plan, Topographical Survey, Proposed Building Perimeter Stake Out on Lot, Permit Fee, Surety Deposit, Contractor's License, and Insurance Certificate.

See details on these requirements in this Guide.

**Existing Residence:**

Alterations / Additions: Apply to the Housing Committee for a building permit. Provide: Site Plans, Color Samples, Review Process Form, Construction Application Deposit & Agreement Form, Building Permit Checklist, Permit Fee, Surety Deposit (in some cases, if required), Contractor's License, and Insurance Certificate if required.

**What you need to know before you build a new residence**

**APPROVAL AND BUILDING PERMIT PROCESS:**

**Description:**

This process provides a systematic and uniform review of proposed construction. To best ensure top-quality design and consideration for both property values and the environment, submittals to the HC for residence construction are encouraged to be prepared by an architect registered in the State of North Carolina or a residential designer authorized to do business in North Carolina. All contractors must have an intermediate or unlimited North Carolina residential builder's license.

The 520HC, through its review procedures, may disapprove any proposed construction on purely aesthetic grounds, where, in its sole judgment, such action is required to protect the enduring natural beauty and attractiveness and values of this community.

No site clearing, material deliveries, or construction may begin without first obtaining approval and a building permit from the HC. Deliveries of construction equipment and materials will only be allowed when a valid building permit is on file. Gate security staff will check all such deliveries against a current list of valid Homeowners Association (HOA) building permits.

An HVHOA building permit is issued only after all building plans are approved by the HC. Building permit fees are non-transferable. Therefore, the review process must begin early enough to obtain approval that coordinates with the construction schedule. All requirements and procedures required by Henderson or Buncombe County Building Departments and the Town of Mills River must be followed as well.

If a property owner has unusual requirements or concerns regarding the planned residence, a Preliminary Review can be scheduled with the HC. Plans should consist of tentative

drawings that reflect the general form, spatial relations and materials and is for guidance only. No approval can be given without full, up-to-date documentation.

**The Building Permit Submittal** must include the following:

1. **Site Analysis (2 copies):**

A scaled site analysis should depict the location of all trees greater than 6” in diameter, measured one foot from ground level planned for removal, as well as property lines, easements, setbacks, contour lines, and other prominent, natural features. The analysis should include, but is not limited to drainage, homes and driveways on adjoining lots, proposed site access and septic area. In lieu of a site analysis, this information may also be furnished on the site plan below.

2. **Site Plan (2 copies):**

A scaled site plan showing the foundation plan of the house and containing dimensions demonstrating conformity with all required easements and setbacks. Driveways and walks must be located. Site plans or building plans below must also include the following area calculations: a) area of building footprint (all heated and unheated spaces, in square feet); b) area of all decks, and porches.

3. **Elevations and Floor Plans (2 copies):**

Two (2) sets of floor plans and elevations to scale, representing the layout of spaces for all levels of the proposed building. Floor elevations must be delineated, and existing and proposed grade levels must be shown. All exterior materials must be labeled. Wood, stucco, stone, brick and/or masonry elements of all exterior walls shall be accurately and fully depicted.

4. **Details:**

- a. Typical wall section
- b. Exterior trim
- c. Window and door details
- d. Exterior wall, fences, or screens
- e. Railings and/or seating
- f. Screen porch section
- g. Roofing plan

5. **Color Samples:**

Two (2) sets of proposed color samples of all exterior materials including siding, trim, brick, stone, roofing, stucco and lattice shall be submitted. These sample submissions are most important to both the owner and the HC in evaluating the eventual appearance of the house as color chips often vary greatly from actual applications on varying materials. Any exceptional exterior appearance such as mottled finish or exposed substrates must be detailed and clearly identified on elevations and via samples.

6. **Landscape Plan:**

Landscape plans are required and will be drawn to scale. They must convey a scale representation of all planting material, identified as to installation size, common name, and variety. Plans shall also show the location of walks, retaining walls, fences, pools, decks, patios, and play structures. Adequate screening shall be provided for HVAC units or any above ground equipment. This plan must be approved by HC 45 days prior to construction completion.

**7. Forms and Fees to be Submitted: (sample forms in appendix)**

- Review Process Form
- Construction Application Deposit & Agreement
- Building Permit Checklist
- Building Permit Fee
- Surety Deposit
- Contractor's Certificate of Insurance
- Contractor's License

**8. Changes to Original Submission:**

All external changes from original submittal must have prior approval by the HC site supervisor (or HC if needed). Failure to obtain prior approval may result in a fine.

The HC will either grant Approval or provide reasons for the objection of the submittal, and normally will offer suggestions for improvement. If the drawings are substantially changed, either by request of the HC or desire of the owner, they must be resubmitted and must receive Approval before proceeding. Building permit is valid for twelve (12) months.

## **DESIGN AND CONSTRUCTION GUIDELINES**

### **Provisional Site Development:**

Occasionally Owners may find it advantageous to do some work on a lot before being ready to submit for the building permit for a specific house. These actions are called Provisional Site Development and include work of any kind which changes the existing condition or appearance of a lot such as but not limited to: removal of trees or topsoil, grading, bringing in any materials such as dirt or gravel, installation of silt fences and installation or modifications for site utilities and services. This work does not include surveyor's marks, normal mowing or clean-up or emergency actions.

These types of services require prior approval of the HC and a Provisional Site Development Permit good for 90 days. (See Appendix for sample) A fee is required for this permit and a Surety Deposit will be required. If the work is not completed in 90 days then a new permit fee will be required. If a new permit is not obtained, the surety deposit will be forfeited. Amounts for both are listed on the Fee Schedule in the Appendix. The Permit fee will not be returned. The Surety Deposit is refundable less any damage assessed by the HC to roads or other HV property.

Information required to be submitted for the permit is:

1. Written description of the work including schedule
2. Sketches or drawings showing the type of work and location
3. Photos if Owner believes these will help describe the proposed work.

Owners are cautioned that failure to obtain prior approval and permit for this type of work will face fines and possible other actions by the HC and the HV Board.

### **Pre-Construction Requirements:**

After completing the approval and building permit process from the Housing Committee, several steps shall be followed before any lot clearing, material deliveries, or construction may begin. The HC Director will assign a Site Supervisor to monitor construction. This person will notify the owner and the Contractor of their assignment. See Site Supervisor checklist in Appendix for items to be monitored.

#### **Signage:**

During the period of permit-authorized construction, up to 3 commercial signs (total area not exceeding 9 square feet) are allowed. After completion of construction, all commercial signs must be removed. Signs are to be "professional" in appearance and subject to review by the HVHOA Board, as required. Signs should be placed at the front of the property or house, and no closer than 10 feet from the nearest edge of the road. The top of the sign will be no higher than 4 feet above ground level. Signs are to be supported by metal/wood frames only. No signs will be attached to trees or to road-signs. This includes box with appropriate building permits (County/Town).

#### **Stake Out:**

The house shall be staked out on the lot with stakes at least two (2) feet tall marking the corners. The lot line nearest the house shall be defined with string. All trees, except those within driveway and building envelope or within twenty feet of house foundation, proposed to be removed, shall be tied about their circumference with ribbon.

No trees including dead trees over 6-inch diameter (18.84 inches in circumference), one foot above ground level may be removed at any time without prior HC approval. Any trees that are proximal to the construction area and could be damaged by construction activity will be protected with fencing or other means as necessary to prevent damage.

If the preliminary construction stakeout is not approved, it must be updated reflecting changes, if any, in the location of the house or driveway and any additional trees to be removed. A second on-site review with a HC representative may be required.

A member of the HC will meet on site with property owner or those designated representatives to review stake out prior to start of construction.

**Pre-Construction Checklist:**

The following steps shall be completed **before** construction may begin:

1. Provide forms and fees detailed on pages 6-8.
2. Obtain Henderson County and Mills River or Buncombe County Building Permits.
3. Locate dumpster, portable toilet, and approved permit box on job site.
4. Obtain any pertinent water tap, and sewer tap or septic field permits,
5. Install silt fence (See Silt Fence Design and Installation Requirements described in General Regulations)
6. Stake out house and property lines
7. Identify all trees to be removed up to 20' from the building foundation and driveway(s)

**New Residence:**

Only one, single-family residential dwelling shall be erected on any lot. Residential home sites in the Community are conveyed to individual buyers subject to extensive deed restrictions and architectural covenants designed to establish strict control of land use and ensure that all residences are attractive in appearance and appropriate to the Community. These restrictions and covenants form a basis for the beginning of site development concepts.

**Building Setbacks:**

The buildable area of every lot must be delineated to determine the portion of the lot upon which the house may be constructed. This area is sometimes specified by the easements and setbacks as recorded on the subdivision plat or in the legal description of the lot. The setbacks required by the Housing Committee are:

**A 30-foot area from center of any road is reserved as an easement for infrastructure and utilities. All residences should be sited outside of this easement.**

- |   |  |
|---|--|
| <b>1. Front of Residence (adjoining a street)</b> | <b>Minimum 40' from center of road</b> |
| <b>2. Side Yard (adjoining a street)</b>          | <b>Minimum 40' from center of road</b> |
| <b>3. Side Yard</b>                               | <b>Minimum 15' from property Line</b>  |
| <b>4. Rear Yard (adjoining golf course)</b>       | <b>Minimum 30'</b>                     |
| <b>5. Rear Yard (non-golf)</b>                    | <b>Minimum 20'</b>                     |

**C :Lots:**

- |                              |  |
|------------------------------|--|
| <b>1. Side Yard</b>          | <b>Minimum 5' from property line</b>   |
| <b>2. Front of Residence</b> | <b>Minimum 40' from center of road</b> |

**See typical setback drawing in appendix.**

The side or rear yard setback, which is applied to waterfront lots specifically, prohibits construction of any building (including stoops, porches or decks (whether attached or unattached) nearer than 15 feet to the waterside lot line. The waterside lot line means the top of the bank of any stream, pond or lake.

Variances may be permitted by the HC to save prominent trees, to minimize disruption to unusual topographic features, to accommodate an irregularly shaped lot or when the Housing Committee determines, in its sole discretion, that a variance is otherwise appropriate to the site.

**Building Size/ Form:**

The Covenants, Contracts of a Sale, recorded plats and/or deed to a lot usually stipulate the minimum square footage that may be contained in a residence built on a lot. The minimum size of homes at High Vista Community is:

**Residences:** All one story or one and one-half story dwellings to have no fewer than 1,500 square feet of heated floor space on the main level. All two-story homes shall have a minimum of 2,000 square feet of heated floor space, with a minimum of 1,500 square feet on the main level.

**Building Heights:** shall be determined by the Housing Committee based upon lot location, tree cover, neighboring homes and other factors affecting the site. Homes shall not exceed two stories in

height above the foundation wall without approval from the HC. In addition, while maximum building sizes may not be specifically established in your Deed or recorded Covenants, the HC may, at its discretion, disapprove a submittal that is inappropriate for the site due to size or surrounding area. The eventual building form of every residence should be a carefully planned addition to the natural setting and embrace its site. The roof-scape of each home should complement the design of the home, the natural surroundings and neighboring home designs. The HC will not approve any submittal, which either crowds the site or is out of context with other structures in the area.

**Garages:** An attached, or basement level two-car garage shall be provided for each dwelling or residence. Garage square footage is not included in minimum square footage requirements as stated in above.

**Off-Street Parking:**

Paved area for at least two vehicles shall be provided on all lots. See Driveway/Parking & Driveway/Road Intersect under General Regulations.

**Materials and Colors:**

All exterior materials and colors should complement the surrounding environment. Color samples shall be submitted to the HC for approval in advance of painting or staining. Non-earth tone colors for any exterior surface are uniformly prohibited.

The HC will not give final approval of any paint or trim color until a 1-foot square paint sample is submitted on the material that will be used on the house. Each color that will be used on the house must be submitted separately. **Do not proceed with painting the house until you have received final approval on the colors from the HC.**

The use of natural woods, stucco and stone is encouraged while the use of imitation or less than highest quality materials is discouraged. The exterior surface of any building shall not be of vinyl siding, asbestos shingle siding, or exposed concrete or cement blocks. The exterior surface of any garage, outbuilding or appurtenant structure shall be aesthetically compatible with, and of material and construction comparable in cost and design to the exterior surface of the dwelling located on the lot. Vinyl, plastic, or metal is permitted for trim only and with the approval of the HC. All pressure treated wood for exterior handrails, stairs, bands, and posts must be stained or painted.

Roofing materials shall be wood shakes, wood shingles, fiberglass shingles, slate or standing seam copper accented areas. In the case of fiberglass shingles, these shall be of a "shake" style, of minimum weight per square of 275 pounds, and have at least a 25-year warranty. Other roofing materials shall be held to a similar standard of quality. Roof vents and accessories should be located away from the front elevation and painted to match the roof color. Sloping roof pitches are required to be a minimum of 8/12 and a maximum of 12/12 for functional and aesthetic reasons unless approved by HC.

**Support Facilities:**

Circulation patterns should be taken into consideration when designing to avoid conflicts between visitor parking and service areas. Every home is required to have an enclosed service area suitable for garbage, bicycles, etc. Electric meters and air-conditioning units must also be screened from view. Media and communication antennas and satellite dishes are not permitted on the frontal views of houses. Satellite dishes greater than 2 feet in diameter are not permitted. Clotheslines are not permissible. Propane tanks, 500 gallons or larger, must be buried. Smaller, above-ground tanks must be suitably screened from view, per covenants.

**Pools / Spas / Fountains:**

All pool and equipment enclosures must relate architecturally to the home and other structures in their placement, materials and detailing.

No permanent, above ground pools or inflatable bubble covers will be allowed. Government regulations must be met regarding any health or safety requirements.

**Boats and Campers:**

Boats, golf carts, campers, RV's, trailers, motorcycles, bicycles and any other recreational equipment should be stored in a garage or screened. Any vehicles or equipment that cannot be stored in a garage structure or discretely screened as approved by High Vista Community is required to be stored off-site at the owner's expense. No mobile home or structure having the characteristics or appearance of a mobile home shall be located upon any lot. No trailer, motor home, recreational vehicle or camper shall be used as a residence, either temporarily or permanently.

**Trash Receptacles:**

Animal-proof trash receptacles are mandatory. Trash receptacles should be screened by planting, berming, or a fencing element. Fences must be an integral part of the architecture or a freestanding compatible element. The type of trash receptacle required will be determined by the service provided to High Vista Community. No exception will be permitted.

**Tennis Court:**

Tennis facilities are available through High Vista Country Club, and individual courts are discouraged. Any permit by the HC will be approached on a case-by-case basis, and extensive screening will be required.

**Appurtenances:**

The proposed building of a deck or bridge into or across any natural or man-made water body or wetland area must receive prior approval from the HC. Exterior lighting must be installed so as not to disturb either neighbors or nearby traffic. The construction or installation of game and play structures such as trampolines, basketball structures, as well as swimming pools and tennis courts is considered an alteration and must be submitted to the HC. The approval of such structures generally depends upon their location, appearance and related landscaping.

**Mailboxes:**

Each home is required to have a typical mailbox\* or name sign with the appropriate street number depicted. At a minimum a mailbox or its supporting structure will display the home address number(s) in reflective material as recommended by Emergency Services and Sheriffs Departments and installed so that the postal vehicle will remain on the paved road surface.

\*Except where cluster-type mailboxes are provided for residents. No personal identification information will be placed on the cluster-type boxes.

**Landscape:**

Proper landscape design in planning new buildings is very important. In successful design, elements of the landscape and building unite to form a habitat compatible with its environment. Rocks, berms and plants may be used to create outdoor spaces. Care should be used in the selection of plants and flowers for size, tolerance of environment and resistance to drought and wildlife.

Lawn areas are encouraged, particularly in the front, as they greatly enhance the appearance of the yard and residence. These areas may, in the long run, require less maintenance than natural areas that must be constantly pruned, weeded, and re-mulched. It is critical that the storm drainage system in the immediate area of the site be integrated into the overall landscape design.

Throughout the High Vista Community, many fine native, mature, specimen trees exist. Many are in prominent view from the streets. In order to take a positive step toward the recognition and protection of all trees in High Vista Community, the Housing Committee requires approval as follows: No tree (living or dead), exceeding six (6) inches in diameter (or 18.84 inches in circumference), one foot above ground, nor any native dogwood, mountain

laurel, or native rhododendron shall be cut or removed without prior written consent of the Housing Committee.

Approved landscaping must be in place within 30 days of occupancy or completion of construction. If planting should coincide with the summer months of June-September, it can be delayed until October for maximum success rate. Extensions can be granted by the HC due to inclement weather conditions.

Cutting of the forest under story may be done to open up view, but should be kept to a minimum, leaving the native vegetation for buffering, privacy and site definition. The cutting of the forest canopy is discouraged.

**Exterior Lighting:**

Also included in the overall landscape development should be the use of exterior lighting. An endless variety of effects may be achieved by using low voltage lighting, up lighting, down lighting, stair lighting, and wall lighting. Especially bright lighting is discouraged. When used to illuminate building and drives lights must be positioned so as to not create glare or other safety issues for passing vehicles. It also must be positioned as to not disturb neighbors and to prevent any light spillage onto adjoining property or right of ways.

**Surface Runoff:**

All new construction and existing residence improvements must include means to prevent any runoff going on to roads or pooling on road shoulder. A driveway surface drain may be required.

**Requirements During Construction:**

All construction will be under continual observation by the Housing Committee which will have access to the construction site at any time.

**Requirements After Construction:**

The construction of the residence shall be completed, and the landscaping shall be installed conforming to the plans previously approved by the HC. Any unauthorized changes must be corrected before a Final Inspection Certificate will be issued.

As a checklist, the following items shall be completed prior to Final Inspection:

1. Complete exterior construction and obtain county certificate of occupancy.
2. Remove construction debris including dumpster, brush and trash.
3. Remove temporary facilities, utilities, and signs.
4. Install landscaping and standard sign or mailbox.
5. All items listed on Final Residence Checklist for Refund of Surety Deposit (see appendix).

6. Notify HC for Final Inspection.

Final inspection approval will include authorization for the refund of the Surety Deposit.

### **Existing Residence - Alterations / Additions**

Applies to alterations and additions to, and replacement of exterior residence elements.

#### **Procedure:**

A Housing Committee Building Permit must be obtained for all exterior renovations, alterations, and additions. From date of the building permit one (1) year is granted to complete the project. No site preparation, excavation, changes in grade, or initial construction, erection, alteration or installation of any improvements, including but not limited to, dwellings, outbuildings, roofing, driveways, fences, walls, signs, play and sports structures, mailboxes, post lamps and other such structures, shall be undertaken upon any residential lot, without prior approval from the Housing Committee. Also, the property owner must submit all completed forms, along with the required building permit fee. After the HC reviews and approves the request, the approval letter and permit will be issued. However the planned work may also require County and Town of Mills River permits, which are the resident owner's responsibility to obtain.

#### **Submittals:**

Requests for such improvements must be presented to the HC and must include but not necessarily be limited to:

##### **1. Drawings**

A set of sufficient plans and elevations shall be submitted to adequately define and explain the improvement(s). Drawings representing the existing structure(s) will also need to be submitted.

##### **2. Site Plan**

A plan with applicable dimensions of the property must be submitted showing the location(s) of the proposed improvements.

##### **3. Color Samples**

Samples are most important when applying for improvement approval because of the necessity of matching existing materials. The HC will not give final approval of any paint or trim color until a 1-foot square section of each of the colors is painted on the house and reviewed by the HC. Do not proceed with painting the house until you have received final approval on the colors from the HC.

**Forms and Fees to be Submitted:**

1. Review Process Form
2. Construction Application Deposit and Agreement
3. Building Permit Checklist
4. Building Permit Fee
5. Surety Deposit - required if heavy equipment is used.

After reviewing the project, the HC will either suggest changes or grant Final Approval. As with new construction, any required surety deposit must accompany the forms and drawings before obtaining a permit. As specified in the construction guidelines, the High Vista Homeowners building Permit and the Henderson or Buncombe County Building Permit and Town of Mills River permit must be displayed before site clearing, material delivery, or construction may begin.

HC representatives will be allowed access to property exterior to review permitted alterations and additions.

**Existing Homes Guidelines** - Applies to all residences.

**Exterior Appearance:**

As per covenants, every property owner is responsible for preventing the development of any unclean, unsightly, or unkempt conditions of buildings or yards that shall reduce the beauty of the neighborhood as a whole or the specific area. Construction materials must be stored out of view. In formal, landscaped areas, bed and lawn areas must be maintained. In natural areas, weed growth must be controlled.

**Signage:**

No signs are allowed for alterations or additions to existing residences.

**Repairs:**

No permits are required to repair damage to existing structures. However, if changes are made to prior colors and materials, these changes must be approved by the HC.

## GENERAL REGULATIONS

**Applies to new and existing residences unless indicated otherwise.**

**Conformance to Guidelines** - The property owner is responsible for ensuring conformance to these Guidelines and Covenants.

**Contractors' Licenses** - All builders of new residences must be licensed by the State of North Carolina. At a minimum, an intermediate or unlimited NC residential builder's license is required.

**Access to Property** - Access is controlled by High Vista Security located at the Main gate. All incoming vehicles must stop at the Main gate for identification and pass. Construction workers are allowed access to and from the construction site only and are strictly forbidden from riding about the community.

**Work Hours** - The hours allowed for construction personnel to be working on site will be from 7:00 a.m. to 7:00 p.m., Monday through Friday and 8:00 a.m. to 5:00 p.m. on Saturday. No exterior residential construction work will be performed on Sundays or the following national holidays: New Years Day, Memorial Day, 4<sup>th</sup> of July, Labor Day, Thanksgiving Day, and Christmas.

**Conduct** - The conduct of all workmen is the responsibility of the General Contractor. Workmen are not allowed to ride about or use community facilities. All construction vehicles must be parked on the construction site. Workers are required to wear shirts and shoes when not on the job site. Speeding, loud radios and vehicles as well as behavior that disturb property owners or guests will not be permitted at any time. Any pets brought onto the job site must be leashed or confined. No littering is allowed.

**Construction Time Limit** -The construction of all new residences must be completed within one year of the date of the start of construction which is the same as the date of the building permit issuance. Any exception requires HC approval. After the first 1-year permit expires, up to four, 3-month building permit extensions may be obtained. After a total of 2 years from original permit date, a new building permit must be obtained. All deposits and fees are forfeited and a new permit fee and surety deposit must be provided.

**Site Grading** - Site grading shall be kept to a minimum, and necessary drainage systems shall be designed for minimum impact. Any alteration of the natural drainage systems is to be avoided. No grading shall encroach upon the drip line of trees to be preserved. Particular attention should be paid to grading in order to avoid standing water.

**Driveway/Parking** - During construction, driveways must be graveled before construction starts. Permanent driveways, turnarounds and parking areas must be surfaced. A hard surface, such as brick, concrete or asphalt must be used, and adequate drainage provisions to accommodate runoff must be incorporated. Drives must not drain into the public roadways. Drainage culverts, if required, must be installed prior to construction.

**Driveway/Road Intersect** - A concrete or asphalt apron must be installed to the edge of any public road and taper to meet driveway surfacing. The apron will be wide enough to allow easy access and

egress from the property on to the road. The drive must be at least 10-12 feet wide. Any drive that is at a higher elevation than the adjoining road surface must have installed surface drains to ensure driveway runoff does not encroach onto the road. Off-street resident and guest parking areas for at least two vehicles must be provided in addition to the two car garage. Adequate, approved hard surface parking areas must be accommodated within the property lines, outside the right of way.

**Work Changes-** Contractors must have the Owner or Architect/Designer submit all proposals for exterior changes to the HC for approval prior to implementation.

**Open Burning** -The Board of Directors of High Vista Homeowners Association has established a firm policy of no open burning within High Vista. Contractors should pay particular attention to this directive.

**Job Toilet** - Each new residence construction site is required to have a job toilet for the use of workers. It must be placed as far from street as possible and must be on owner's property unless approved by the HC.

**Site Dumpster/Material Storage** - It is imperative that all sites be maintained in a clean and safe condition. All construction materials must be kept within the property lines, maintaining a clear street right-of-way. Access to the site should be limited to the proposed driveway location. Access over/through adjoining properties is expressly forbidden. The storage of materials should be in an inconspicuous area of the site and should be neat and orderly. The use of adjoining properties for access or storage of materials, without the written permission of the adjacent owner, is prohibited. Temporary storage structures, approved by the Housing Committee, may be used to store materials. Storage structures may not be used as living quarters.

Site cleanliness shall at all times be maintained at an acceptable level. If not so maintained, the HC will issue a "Stop Work" order. A commercial dumpster shall be placed on each job site and shall be dumped when necessary. At the end of each workday, materials must be stored neatly and all trash placed in the dumpster. No trash shall be strewn about the lot or piled openly. Since an unsafe and unhealthy site presents a negative image to visitors and property owners, this requirement shall be strictly enforced. No construction or demolition materials or trash of any kind shall be buried or burned on site or within the High Vista community. Care should be taken when loading trucks hauling trash so as not to have it spill over while in transit. Contractors shall be held responsible for trash and debris falling from construction vehicles.

Should the HC determine, in its sole discretion, that a site is not being maintained properly, it may undertake to have it maintained properly and will deduct any cost from the Surety Deposit. A Stop Work Order may be issued where the contractor, subs and suppliers will be denied access to High Vista community until the problem is resolved.

**Utilities:** Temporary utilities should be installed in a neat manner. The temporary power pole must be installed plumb and will not be used for the placement of signs. A temporary water hookup may be provided.

**Damage:** Any damage to HOA property or community infrastructure, caused by the construction process shall be repaired or replaced by the owner. The property owner shall be responsible for the Contractor's actions during all construction phases.

**Modular Housing:** Covenant # 10 prohibits modular homes, etc. However, certain modular construction elements are permitted at High Vista. These are limited to individual pre-built systems not fully assembled homes or sections thereof. Allowable pre-built systems are limited to: exterior walls; interior walls; floor systems; foundations and roofs. On site assembly and overall construction shall be the responsibility of a licensed General Contractor (as referenced on page 18).

- Exterior walls can be sheathed and papered with windows and doors set.
- Interior walls can be pre-wired, pre-plumbed, pre-insulated and drywalled.
- Floor systems can be delivered with sub-flooring attached.
- Foundations can be pre-poured or pre-blocked.

All of the above systems must be assembled on site. This means that the individual sections of each system must be fit and assembled on the job site. A Contractor will be prohibited from delivering or installing completed rooms or sections of a house on the site. Exterior trim must be done on site.

All elements of these Architectural and Construction Guidelines apply. This includes adherence to NC building codes for “stick-framed” residential homes as applied to all trades.

**Awnings:** No awnings shall be installed on any home, new or existing, without prior Housing Committee approval. Awnings should be retractable and of colors compatible with the home. All awnings must be maintained and not allowed to become severely faded, torn or generally unsightly.

#### **Fencing:**

**All fencing must comply with Fencing Policy No. 1001 and receive prior written approval from the Housing Committee before the start of construction.**

#### **General Considerations,**

1. Because of the wide variety of design possibilities and the complexity of fencing issues to be considered, the Housing Committee's approval will be made on a case by case basis.
2. The Committee's decision will be made keeping in mind the requirements of the Covenants and the Architectural/Construction Guidelines to protect the best interest of the community as well as trying to accommodate the needs of the applicant.
3. Because fencing could detract from the open character of the High Vista community and may have both a visual and physical impact on the applicant's property as well as adjoining properties, careful considerations must be given to design, materials, location and construction.
4. The only acceptable reason for fencing in High Vista is to restrict movement of children or pets to or from a property. Privacy is not an acceptable reason for fencing as this can be accomplished with shrubbery and other landscaping.

#### **Specific Details:**

1. Invisible fencing for pet control is the least objectionable and is permitted anywhere on the property.
2. All other fencing shall be located on or within the said property in back yards only and not extend forward of the rear corners of the house. (Note: The Committee may allow an exception to this for lateral access to the house to be decided at the design review.)

3. The preferred maximum height of fencing is 48" from ground level to top of fence. Under unusual circumstances this height may be increased to 60" only if the Committee feels it is justified.
4. Only open or semi-open types shall be allowed. Those which will appear as a solid wall are not allowed.
5. All wire or chain-link fencing, whether as a stand-alone or as a component of the whole design shall be colored to blend into the background. These shall be shielded or screened from view from adjoining properties by plants, shrubbery or other natural materials
6. All designs and materials must pay particular attention to location, appearance, maintainability and compatibility with existing home and adjoining properties.
7. It is the resident's responsibility to contact the NC One Call Center (dial 811) and any other private utility company for location of underground services prior to digging.

**Applications Should Include:**

1. Explanation of reason for fencing.
2. Drawing of design with dimensions including a description and color of materials.
3. Property survey or scaled drawing showing location of the house, property lines, easements and the proposed location of the fence and any gates.
4. Photos of an existing similar fence if possible.

**Unacceptable:**

1. Unscreened or uncolorcoated wire or chain link fencing.
2. Exposed concrete block even if painted.
3. Fencing for privacy only of man-made materials
4. Fencing with a solid wall appearance

**Approval:**

1. The Housing Committee may exercise its sole discretion in approval or disapproval of any design which it feels does not comply with this policy.
2. Approval must be by a majority of the Housing Committee but not by less than four votes.

**Silt Fence Design and Installation:** Specifications for installing silt fence in High Vista must be in conformance with the following:

**Materials**

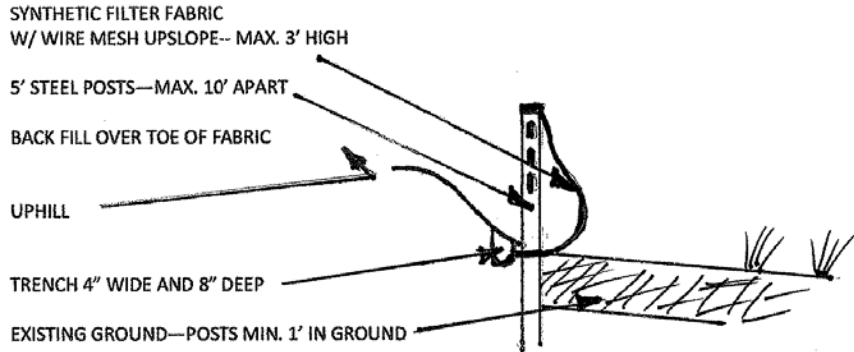
1. Synthetic filter fabric shall be a pervious sheet of propylene, nylon or polyester and shall be certified by the manufacturer or supplier as conforming to the following requirements—synthetic filter fabric shall contain ultraviolet ray inhibitors and stabilizers to provide a minimum of 6 months of expected usable construction life.
2. Posts for silt fence shall be 1.33 lbs/ft (2 kg/m) steel with a minimum length of 5 ft. (1.5m). Steel posts shall have projections for fastening wire to them.
3. Wire fence reinforcement for silt fences using standard strength filter cloth shall be a minimum of 3 ft. (0.9m) in height, a minimum of 14 gauge and shall have a maximum mesh spacing of 6 in. (15cm).
4. On properties where the slope is greater than 1 foot for 2 feet horizontal—the contractor **must utilize a wire mesh support fence.**

## **Silt Fence Installation**

1. This sediment barrier utilizes standard strength or extra strength synthetic filter fabrics. It is designed for situations in which only sheet or overland flows are expected.
2. The height of the silt fence shall not exceed 3 ft. (0.9m). Higher fences may impound volumes of water sufficient to cause failure of the structure.
3. The filter fabric shall be purchased in a continuous roll cut to the length of the barrier to avoid the use of joints. When joints are necessary, filter cloth shall be spliced together only at a support post, with a minimum 6in. (152mm) overlay and securely sealed.
4. Posts shall be spaced a maximum of 10 ft. (3m) apart at the barrier location and driven securely into the ground (minimum of 12 in. (305mm)). When extra strength fabric is used without the wire support fence, post spacing shall not exceed 6 ft. (1.85m).
5. A trench shall be excavated approximately 4 in. (102mm) wide and 8 in. (203mm) deep along the line of posts and upslope from the barrier.
6. When standard strength filter fabric is used, a wire mesh support fence shall be fastened securely to the upslope side of the posts using heavy duty wire staples at least 1 in. (25mm) long, tie wires or hog rings. The wire shall extend into the trench a minimum of 2 in. (51mm) and shall not extend more than 3 ft. (0.9m) above the original ground surface.
7. The standard strength filter fabric shall be stapled or wired to the fence, and 8 in. (203mm) of the fabric shall be extended into the trench. The fabric shall not extend more than 3 ft. (0.9m) above the original ground surface.
8. When extra strength filter fabric and closer post spacing are used, the wire mesh support fence may be eliminated. This will only be allowed in High Vista where the slope of the property is no greater than 1 foot high for 2 feet horizontal. In such cases, the filter fabric is stapled or wired directly to the posts.
9. The bottom edge of the fabric shall extend into the trench. The trench shall then be backfilled and the soil compacted over the bottom edge of the silt fence to prevent material from washing under the fence.
10. Inspect twice a week and after each storm event, repairing as needed and removing sediment deposits when they reach one-half of the silt fence height.
11. Install silt fence parallel to the contour of the land and with no more than 0.25 acre (0.1 hectare) drainage area per 100 ft. (30m) of fence. Extend ends upslope enough to allow water to pond behind the fence.
12. Silt fences shall be removed when they have served their useful purpose, but not before the upslope area has been permanently stabilized.

## SILT FENCE DETAIL

### WHERE SLOPE IS GREATER THAN 1 FOOT FOR 2 FEET HORIZONTAL



### WHERE SLOPE IS LESS THAN 1 FOOT FOR 2 FEET HORIZONTAL

