

DOCUMENT #1

THE SETTINGS OF BLACK MOUNTAIN DESIGN STANDARDS and GUIDELINES



THE SETTINGS OF BLACK MOUNTAIN

OVERVIEW

The Settings of Black Mountain is a gated mountain community which borders the quaint town of Black Mountain, North Carolina at the head of the Swannanoa Valley. This area is rich in history and lore.

The Cherokee called this area of lush forests, clear streams, fast rivers and high mountain peaks that pierce the clouds, "Grey Eagle". Black Mountain originally "Grey Eagle", was named for a large rock formation on the south rim of the Blue Ridge. Folklore tells of a rock formation high above the valley in the image of an Indian named Grey Eagle, who watched over the valley and kept it from harm. This valley, still the gateway into the mountains, was used for centuries by the Cherokee Indians as a war trail. They raided the Catawba Indian towns along the great river valley to the east that now bears the Catawba Tribe's name. This land has borne witness to, and was home to, such legends as the Burnett's, the Boones, David Crockett, Big Tom Wilson, and other mountain men of renowned heritage and stature. They hunted, explored and opened trade routes along the valley's trails and ridges.

The community property runs from State Highway 9 on its north side to the Blue Ridge Assembly on the south side, to the Continental Divide which separates the Swannanoa Valley from the Broad River Valley. The area offers unmatched views overlooking the Valley and up into the highest mountain range east of the Rockies, the Black Mountains. This area is an outdoorsman's paradise offering rock climbing, fishing, hiking, horseback riding and camping, all with unparalleled scenery. In addition, snow skiing, water skiing, canoeing, whitewater rafting & paddling, and lake activities can be enjoyed within a 30 minute drive of the property.

This property rises over a thousand feet from the valley floor to the top of the ridge. Rolling pastures, protected coves with streams, numerous ridges and high knolls with spectacular long-range mountain views, characterize this property. The northern boundary of the property borders the Town of Black Mountain on Lakey Gap Road.

The property is located less than 3 minutes from I-40 and the downtown area of Black Mountain. Black Mountain has become a center for the arts & crafts and offers a lifestyle that continues to draw people from all over the country. Asheville, the cultural hub of western North Carolina, is a mere 15 minute commute from the community. Asheville offers five-star restaurants, a medical and trauma center ranked in the top 50 in the nation, one of the largest and best VA Hospitals, and a lifestyle with amenities that consistently keeps this area as one of the top places to live in the country.

The property has home sites ranging in size from Cottage parcels to Grand Estate lots of up to 10 acres. Each home site is situated to take full advantage of the topography and views. The entrance is gated, giving the community the security and exclusivity that is preferred and expected in a development of this quality.

The Settings of Black Mountain is a community for rediscovering family and nature in this captivating blend of majestic mountain landscapes and valleys. One hiking trail is completed and other trails are planned for the future. You can also enjoy our clubhouse with its great room and fireplace for neighborhood gatherings and a deck and rocking chairs providing a view of the Black Mountains and the Seven Sisters. Future amenities may include a pool and fitness room. This is where family, nature and community come together for a relaxed way of life while enjoying nature's natural beauty.

DESIGN PHILOSOPHY

Our design philosophy takes its cue from blending the various Mountain Vernacular Style homes with the natural surrounding environment. Accomplishing this creates a certain sense of style blending with nature. *A Wonder To Look At – And To Look From!*

The Developers' interpretation of the Mountain Vernacular Style can be described as the style of residential design that prevailed in the Southern Appalachian region between the Victorian Era and the Second World War (roughly from 1910 to 1940). The architectural massing, elements, and details typically in quality homes built during that time period in this geographical area comprise the basis of the Developers' vision for The Settings of Black Mountain.

ARCHITECTURAL STYLE

The Developer and Design Review Board (DRB) have created The Settings of Black Mountain as a community that allows the individual homeowner a definitive palette for the design and materials used, but not one prescribed style. It is also the desire to blend the homes so they readily become part of the existing natural landscape. The use of native materials of natural stone, timbers, exposed rafter tails & brackets, wood clapboard siding, cedar shakes, architectural roof shingles, wooden porches and decks is recommended and encouraged. Most Log Homes, Chalet or A-Frames, Tree Houses or overtly Contemporary or Modern Homes are not permitted. All plans will be reviewed and approved on an individual basis.

Some materials are not appropriate for use in a mountain setting or may have a negative perception to the general public as they relate to value. For these reasons, no vinyl materials may be used on the exterior of any structure or in the landscape.

Property Owners and their architects are encouraged to present site-specific plans utilizing man-made and natural materials to make the home an integral part of the natural landscape.





**Sample Home
Style**

FUNCTION OF THE DESIGN REVIEW BOARD

The Design Review Board (DRB) at The Settings of Black Mountain is comprised of three to four members appointed by the Board of Directors. These members are current property owners and they will assist you in working with local builders and architects.

The members and number are subject to change at the discretion of the Board of Directors. Modifications and changes to these Design Standards and Guidelines may be periodically required and implemented by the DRB as necessary.

The main purpose of the DRB is to maintain compliance with the State of NC, County of Buncombe Declaration of Covenants, Conditions and Restrictions for The Settings of Black Mountain, NC. The intent of the DRB Documents is to assist the homeowners in their design and construction process while following the community theme and maintaining the natural beauty of the surroundings in the Settings of Black Mountain.

The Declaration of Covenants, Conditions and Restrictions governing The Settings of Black Mountain community provide guidance and direction to the Design Review Board for the purposes of controlling and enhancing the residential community. The application, along with the required documentation, is the first step in the process of construction approval for a home (See Document #3).

The Design Review Board assumes no liability for any structural or design flaws relating to submitted plans, adherence to any codes or ordinances, or information regarding the ability to construct on any home site, or for any damages to neighboring property during the construction process. The DRB is fully responsible for enforcing said guidelines.

DRB DOCUMENTS AND STANDARDS

There are 3 documents which the DRB uses in the review process for a new residence. The Submission process is detailed in Documents 1 & 2, and Document 3 begins the actual application on your path for approval.

Document #1. Overview of Architectural Design Standards and Guidelines which you are currently reading

Document #2. Design Review Purpose & Procedure Process

Document #3. Design Review Application and Related Forms

INTENT OF DESIGN STANDARDS

The Design Review Board, along with The Settings of Black Mountain Home Owners Association, are both dedicated to your creating a home with its design and character appropriate to the surroundings and environmental factors indigenous to the community property.

This philosophy treats each home and the whole area as a carefully planned addition to the natural environment which embraces the site and becomes one with it.

PURPOSE OF DESIGN STANDARDS

The purpose of these Design Standards and Guidelines is to encourage quality construction in keeping with the community architectural theme and style while preserving the natural environment as much as possible.

Pursuant to Article 9 of the Declaration of Covenants, Conditions and Restrictions, the Design Review Board has full authority to adopt and amend architectural standards, regulations, policies, procedures and guidelines governing the construction, location, landscaping, material and design of improvements, structures, the contents of submission of plans and specifications. Design Guideline amendment changes shall apply only to construction and modifications commenced after the date of such amendment. The Design Standards and Guidelines shall be binding upon and enforceable against all Owners. The DRB failure on any instance or instances to insist upon strict performance or observation of, or compliance with any of the terms or provisions of the

guidelines shall not be construed as a waiver or relinquishment of it's rights to insist upon your strict compliance with all the terms and provisions of the DRB guidelines and standards.

INTENT & PURPOSE OF THE PREFERRED & APPROVED BUILDER PROGRAMS

The intent of the Preferred and Approved Builder program is to help ensure that homes built in The Settings of Black Mountain are consistent with the high quality requirements of the Design Standards. These builders have demonstrated their ability to deal with the challenges of mountain construction that can include steep slope foundations, high wind conditions, drainage and run off challenges, etc. as well as utilizing natural materials like rock and timber that give these homes their distinctive look.

The purpose of the Preferred and Approved Builder program is to make it easier to pick an area builder experienced not only in these unique building techniques but who are familiar with top architects and draftsmen, local ordinances and municipal personnel, the finest subcontractors and quality suppliers who offer the most for your money. While no one can guarantee a perfect experience in something as complicated and personal as building a new home the wide variety of approaches and personalities of our recommended builders help you choose the right fit for you. Even a very good builder from your hometown would likely struggle with the many technical and regulatory issues. This is why we require that our lot owners choose from our Preferred and Approved Builder list. You are welcome to spend as much time as you like interviewing these builders who compete for your business. Your Design Review Board will work to communicate with your chosen team to help you accomplish your goals.

The Settings offers two Builder levels to choose from:

- 1- Preferred Builders- Our Preferred Builders are premium home builders who have already built at least one home in The Settings. Most of these builders have been involved in our community since the beginning and also own property in The Settings. They have a deep well of knowledge about the DRB process and are recommended by many of the current residents in The Settings.
- 2- Approved Builders- Our Approved Builder list is a new category created to give our members more choice. These Asheville area custom home builders come highly recommended but have not yet built homes in The Settings. They all have many years of experience in mountain building and are excited to work with our lot owners.

EARLY ON-SITE EVALUATION AND DESIGN PLANNING

The homeowner, their Preferred or Approved Builder, and their design professionals should work together with the Design Review Board to create their dream home in the beautiful community of The Settings of Black Mountain.

We require property owners contact the Design Review Board at the beginning stage of their planning process. This will allow the board to do a preliminary conceptual review to assist your process and provide direction within the guidelines before significant money or time is expended by the homeowner.

This will in turn make the process proceed much more smoothly for all parties involved (See STEP TWO & THREE Document #2).

ARCHITECTURAL DESIGN STANDARDS

There are four home site types within The Settings of Black Mountain:
The Cottages, The Park Setting, The Estate and The Grand Estate

SETBACK REQUIREMENTS

Upon annexation of The Settings of Black Mountain into the Town of Black Mountain, the setback requirements as referenced in the Town of Black Mountain Zoning and Regulations for CR-1 Residential District become applicable as referenced below (except for a few Cottage Lots). **Guidelines are stated from the version of said document dated 3/10. It is your responsibility to confirm your lot setbacks with the Town of Black Mountain prior to starting your home planning process. Note, your lot may qualify for vested rights until 2015; contact the Town of Black Mountain for confirmation.**

Front: 30 ft. minimum Side: 10 ft. minimum Rear: 30 ft. minimum*

** except where a stream buffer will be more restrictive*

Special Notation: Steep Slope Lots may have reduced front setbacks in accordance with Town of Black Mountain Zoning Ordinance which requires Zoning Department verification.

Front setbacks are measured from the back of the curb to the closest edge of the Structure. All foundations of the building must fall inside the building setback lines. All decks (covered or uncovered), steps and porches must likewise be located within the building setback lines.

Corner lot home sites and those having frontage on two or more streets have additional setback requirements. Please verify this with the Town of Black Mountain.

Maximum Setback Standards will be site specific and require The Settings of Black Mountain DRB approval.

Driveways and parking spaces are not permitted to be located in the right-of-ways areas. Driveways may of course penetrate through a right-of-way area to connect to the street.

SQUARE FOOTAGE REQUIREMENTS

Note: 1 story homes with lower (basement) level are considered to be multi-story homes.

Cottages: Minimum floor area for single-story home: 1200 sq. ft.
Minimum floor area for multi-story home: 1000 sq. ft. on first floor
1600 sq. ft. total on 2 levels.
(Heated area, excludes garages, porches, patios & decks)

Park Setting: Minimum floor area for single-story home: 1400 sq. ft.
Minimum floor area for multi-story home: 1200 sq. ft. on first
floor with 1800 sq. ft. total on 2 levels.
(Heated area, excludes garages, porches, patios & decks)

Estate: Minimum floor area for single-story home: 1800 sq. ft.
Minimum floor area for multi-story home: 1400 sq. ft. on first floor
2300 sq. ft. total on 2 levels.
(Heated area, excludes garages, porches, patios & decks)

Grand Estate: Minimum floor area for single-story home: 3000 sq. ft.
Minimum floor area for multi-story home: 2000 sq. ft. on first
floor 3000 sq. ft. total on 2 levels.
(Heated area, excludes garages, porches, patios & decks)

In rare instances the DRB reserves the right to reduce minimum floor areas and/or requirements for placement of two car garage for reasons of topography or lot dimensions.

HOUSE ORIENTATION

Home site locations have a variety of views and exposure. Land development endeavors were to tailor the type of home site to compliment the natural topography of the land.

When positioning the home on the lot, one should consider the preservation of existing trees, vegetation, existing streams and creeks, and the natural flow of surface drainage. Also, another major consideration in locating the home should be garages and driveways leading to the structure. This can be one of the biggest impacts on the lot and every effort should be made to minimize disturbance to the natural lay of the land. This can be achieved by meandering the driveway, thus lessening the slope, which avoids the unnecessary cutting of trees or natural vegetation.

OVERALL BUILDING HEIGHT AND CEILING HEIGHT

Each home plan submitted to the Design Review Board is evaluated as to lot specific site topography, views to and from adjacent structures and natural environment. The structure height may be one story up to no more than three stories, to a maximum height of 35 ft. The maximum height of a structure will be calculated based on the vertical distance from the grade (i.e., the average of the highest and lowest elevations at which the structure meets the ground) measured to the mean height level between the eaves and ridge of the highest main roof (exclusive of dormer roofs).

Minimum main floor ceiling height is 9 ft. Minimum window and door header height is 7 feet on the main level. Transoms above minimum header height of windows and doors are permitted. See additional specifics for windows and doors in their designated sections of this document.

FOUNDATIONS

The finish materials to be used on exposed foundation walls and piers include natural stone/stone veneer, pebble-dash, and rough-textured stucco. The use of segmental block walls that simulate stone, i.e. Heritage Block, will be considered. Exposed concrete block or continuous lattice will not be allowed. Stone shall be natural stacked stone or natural stone veneer. Brick is permitted only with DRB approval, and must be broken up by rough-textured stucco, wood or stone. If stucco is used, it is to be a rough-textured finish (no smooth or swirl pattern allowed). As it relates to high foundation walls, the Design Review Board may at its discretion impose additional requirements to de-emphasize the mass of the wall as it relates to its surroundings. Step Foundations are not allowed. Also, see Water Table section reference in this document as well.

DRB requires scheduling of an on-site inspection by a DRB representative for approval of materials and installation method. Inspection must provide a 2 foot square sampling of specific stone to be used and installation application demonstrated. Seven day minimum advanced appointment notice required. Turnaround time for DRB approval is seven days.

Finished floor elevations for the main floor of primary buildings should be at least 18" above adjacent finished grades.



Stacked Stone Example

EXTERIOR WALLS

Painted or stained horizontal wood siding, cementitious fiber shakes, siding or cedar shake shingle siding (e.g. Hardi Plank), board and batten siding, cedar or rough textured stucco, natural stone/stone veneer, and pebble dash are acceptable materials for exterior wall finishes. No vinyl or aluminum siding is allowed on any exterior wall of the main structure, nor on any detached structure.

The materials and colors for all exterior walls will be limited to the DRB approved materials. Exterior wall vents should not be on primary street side.

Use of Heritage Block material or other man-made products on the property for use on site as a retaining wall or other purpose will have limited DRB approval. These products and colors must be considered by the DRB in pre-approval process. If approved, the Builder/owner must use specific manufacturers and installers as required by the DRB to maintain integrity of the product and installation method within the Community.

Exterior Wall Examples



PORCHES AND DECKS

The porch design and placement should be an integral part of the home design. Materials used on exposed porch ceilings shall be tongue and groove decking, bead-board, board and batten, or exposed rafters. Wood or DRB approved synthetic materials must be used. Porch ceilings must be either stained or painted.

Screened or glazed porches are not permitted to be visible with frontal view from any street or placed on the front elevation unless specifically approved by the DRB. Screened porches must have screens framed in wood and installed behind the porch railings. Screen porches on side of house must be recessed 4 feet behind main wall of house facing the road.

Front and side porches are to be a minimum of eight (8) feet in depth and no less than 18 inches above adjacent finished grade. DRB has the discretion to modify this based on individual plan and site requirements.

Porch piers may be finished with natural stone/stone veneer, pebble-dash, rough-textured stucco, or brick/combo if approved by DRB. Foundation screens may be used with wood lattice, vertical or horizontal spaced wood boards.

Posts, spindles, and balusters are to be milled pickets made of wood, stone or DRB approved composite material and must be in keeping with the style of the home. All porch railing shall have substantial top and bottom rails. The maximum opening between spindles or balusters must be in compliance with North Carolina State Building Code.

Columns on porches are to be round, square, or square-tapered, and corners may be chamfered. Porches that are larger in proportion to the home are to have box columns up to 12 inches square and must present a substantial look.

Double height or two story porches are not allowed on front elevations. Double stacked porches on specific lots on the rear elevation may be allowed with DRB approval. Once again, the minimum depth of a porch is 8 feet. In home sites where the front door faces away from primary access road, DRB may allow double stacked porches on street facing side of home. Such situations require Architectural Guidelines to be adhered to as it pertains to material usage and finish details for front elevations.

Uncovered decks shall be located on the rear of the house only. As they are an extension of the house, they should be in keeping with the style, materials, color and detailing of the main structure. Visual screening for decks and porches shall be latticework, wood fencing or stone. Fabric awnings may be permitted only with DRB approval at their discretion. No metal awnings will be allowed.



**Porch Style & Detail
Example**

WINDOWS AND DOORS

Windows shall be appropriately sized and of a design which is architecturally appropriate for the style of the home. The locations and proportion should be consistent to provide a balanced look as to style and proportion. All windows on the main floor must have a minimum header of 7'0" high unless in a bay or as an accent window. Storm windows or storm devices must have prior approval from the DRB. Glass block for exterior windows is prohibited. All windows shall have at least 3-1/2 inch wide jamb trim and at least 5-1/2 wide inch head trim minimum.

Double or single-hung window pane patterns or picture fixed window panes may range from 2-over-2 to 9-over-9 styles. All casement or awning windows shall be divided into a minimum of at least 2 panes each. Window grid patterns must be consistent overall. Exceptions for "View" windows will be reviewed by the DRB. Materials used for the window frames and mullions shall be the highest quality wood or a DRB-approved cladding. Vinyl windows are prohibited. No Grids-Between-Glass (GBG) type windows will be allowed. No mirrored film or unusual tinting will be permitted. Window trim should match the door and house trim and extend to windows on all four sides of the house structure. Any bay windows shall be made of

trim grade lumber, and the foundation on bay windows shall extend to the ground on all three sides if located on ground floor; alternatively, DRB-approved architectural support brackets may be used.

Single or paired doors may be used. All doors should be in keeping with the architectural style and vertical in proportion. Solid front doors without fenestration and "buck" doors are not permitted. Front doors may be used in conjunction with side lights and transoms. Door trim shall be at least 3-1/2 inch jamb trim and at least 5-1/2 inch head trim minimum. Sliding Glass Doors and Telescoping Sliding Doors may be considered by the DRB at their discretion if located on rear of home under a covered porch. Submission must be pre-approved at initial plan submittal.

ROOF EAVES, CORNICES & TRIM

Deep roof eaves of 30 to 36 inches with exposed rafter tails are encouraged. Minimum roof eaves of 30 inches are required unless prior DRB approval is granted. All soffits and exposed decking shall be tongue-and-groove wood or a DRB approved synthetic material which shall be painted or stained. Plywood is not permitted. Exterior trim is to be wood or cementitious fiber board and shall be painted or stained. All cornices and trim should be in keeping with the style of the home and as an accent to its architectural theme, and may be either painted or stained with DRB approval. Roof Fascias including rake fascias must be at least 7 1/4 inches and stepped, but deeper fascia may be required by DRB based on scale and massing of house and roof. Rake eaves should incorporate brackets, supports, or other architectural devices to add appropriate detailing.



SHUTTERS

Shutters, either planked or louvered style, may be used if appropriate to the style of the home. If used, all shutters shall be operable with holdbacks, and each individual shutter should be sized to cover one half of the window opening. Approved materials are wood, or with DRB approval, an upgraded composite.

DORMERS

Dormers are frequently found on homes in the mountain vernacular style. They should be appropriate in style and aligned for balance with the main structure. Dormer roof forms may be gable, hip or shed. Dormer eaves must have a minimum depth of 12 inches.



ROOFS

The roof of the home is an important element to the overall visual impact of the structure. The primary roof of a house or garage shall have a minimum roof pitch of 8-in-12 unless a lower slope is style appropriate and approved by the DRB. Porch, bay and dormer roofs may have lower pitches, subject to DRB approval. Flat roof decks, with DRB approval, will be permitted with accessibility to an adjacent interior room, but must be surrounded by a railing or balustrade.

Acceptable roofing materials are natural or synthetic slate, wood shakes or shingles, metal standing seam, and fiberglass composition architectural shingles with a minimum 30 year or greater rating. All roof colors must be approved by DRB. Roof flashing shall be of like materials. All items that penetrate the roof such as vent stacks, vent fans, pipes and sky lights shall not be located or allowed on the elevations(s) facing the primary road that the house is accessed from.

Furthermore, all roof mounted items shall match the roof color. Depending on the orientation and configuration of the house on the site, this could apply to side elevations as well that face the primary road (site specific DRB approval is required). This list is not exhaustive and shall include other items that are flashed in with the roof system, allowing them to protrude through the roof.

If gutters are used, they must be 6 inch ogee, square or half round with bigger downspouts - 4x5 – flat sided (not corrugated or fluted). Material shall be copper (if copper is used must be untreated to allow for natural tarnishing) or anodized aluminum and color shall be harmonious with the architectural style and color scheme approved for the house.

If no gutters are used, builder must provide detailed drawings showing all down spouts, French drains, gravel pads, and underground lines to route and control run off with discharge points specified. No splash blocks allowed.

ENTRY FEATURES

The front entry of the primary structure must have a minimum of a covered stoop proportionate to the overall front elevation dimension of scale. Covered porches are recommended and encouraged.

CHIMNEYS

Chimney style and proportion shall be in keeping with the intended style of the home. Any chimneys visible from the street must extend to the ground. No metal fireboxes are permitted unless encased by a masonry veneer. No direct vents are permitted through the wall fireplaces. If insert is used, the spark arrestor shall be painted flat black and wherever possible surrounded by a chimney cap or cover pre-approved by DRB. No galvanized caps are allowed. Approved exterior chimney finish materials include rough-textured stucco, and natural stone/stone veneer. Brick may be used only with DRB approval. Wood and other types of siding are not allowed on chimneys.

Any projection on an exterior wall resulting from a fireplace installation whether vented or unvented shall conform to the requirement for chimneys as outlined above and must extend to the ground.

All chimney caps or covers must be pre-approved and at DRB discretion.

GARAGES

All homes must provide parking of at least two automobiles within an enclosed garage. Attached garages having courtyard, side or rear entry based upon lot type and grade are preferred. The garage should match the house with the same materials, roof slope, and detailing and provide continuity to the main structure. Reduced setback requirements may apply for garage structure if detached; however, must meet local zoning ordinances and secure DRB approval.

Location and orientation requires prior DRB approval. Certain garages based on orientation and location on the site may be required to contain an overhead architectural detail element.

All garages must have doors and be coordinated in design, window pattern and color paint or stain similar to the home. Garage doors shall have a maximum width of 9' and a maximum height of 8' unless prior DRB approval is granted due to site specific criteria considerations. Garage doors must appear as carriage-house style doors with appropriate hardware to complete the look. Flush-or-raised-panel garage doors are not permitted.



Carriage Style Garage Door Example

EXTERIOR COLORS

Exterior colors will be carefully evaluated for each site specific design submission. Actual samples of the colors and their locations must be provided to the DRB for on-site final sign-off. Color palettes should be within a range of earth or wood tones to blend with the natural beauty of the land. White as a primary color is to be discouraged. Trim and roofing colors should act to compliment, rather than stand out. No reflective material/colors will be allowed, except for natural unsealed copper materials. If natural copper is used must be untreated to allow for natural tarnishing. Approval of colors and color combination is at the sole discretion of the DRB.

WATER TABLES

All homes, to include any ancillary structures such as garages, must have water tables subject to DRB approval. These water tables must be expressed in a horizontal band around the house at each finished floor height. This water table may be a wood band with a drip cap, or a masonry or stone detail. Water tables must be consistent around the entire perimeter of the structure. (See Foundations Section of this document).

OUTBUILDINGS

No home site within the community shall have more than one outbuilding. A detached garage for Design Standard purposes is considered an outbuilding. The design and location of outbuildings in relation to the main structure is an integral part of the total plan approval process and must comply with all local ordinances. Materials, style and color should be reflective of the main house and construction thereof should be of same quality.

MECHANICAL AND UTILITY EQUIPMENT

Equipment such as, HVAC units, utility meters, electrical panels, condensing units, generators, or other similar devices outside of the house will be located in the rear or side yard. If visible from the street, they must be screened and painted to match the siding color or trim depending upon their location. All propane tanks, if applicable, must be buried and the fill necks screened. Screening may be any approved plantings, wood screens and/or masonry walls. This criterion also applies to any irrigation, yard or pool equipment. Location and screening of all mechanical generators and utility equipment to be included with the final plan submittal to include landscape design screening detail outlined.

FENCES

Fencing is a useful design feature to help screen utility areas or other specific site features from public view. Most often evergreen vegetation would be better for this purpose. Certain home site locations may not be appropriate for fencing due to obstructing of views or topography issues. The decision remains with the DRB and all designs must have DRB approval. In general, fencing is not desirable in the community.

Lots are generally small providing minimum distance between residences. Owners decided to live in the community, by and large, because of the natural beauty of the forest environment; the vista of trees, flowering bushes, streams and mountain views. Another facet of living in the community is that of being a close community of neighbors where slopes, hillsides, views and streams are shared. Neither of these two objectives is compatible with fencing.

Fencing makes the existence of natural trees and shrubs difficult, and makes the sharing of the forest landscape and views - both near and far - constrained. Fencing also projects the attitude of "fencing off what is mine" from everyone else. Our community by its very nature a forested areas which means that we have chosen to live with deer and other wildlife. Trying to "fence them out" negates the feeling of living in a natural mountain community.

For this reason, the construction of visible fenced enclosures may only be approved for those lots where the enclosure, and the dogs, are out of the view of neighbors or walkers on streets, sidewalks, common property or adjacent lots.

For all the reasons cited above, the DRB will only approve fencing in very limited circumstances. Such approval is strictly at the discretion of the DRB.

DRIVEWAYS

Driveways are an extended feature of the home site and should blend naturally with their surroundings. Owners/Builders are required to install a paved driveway from the street edge to the garage of each home. They should not be the prevailing feature of the site and should not cover more than 20% of the front lot area of the home site. Driveways may be paved with black asphalt, pavers, intrinsically stained and/or concrete or exposed aggregate. Materials used on each specific home site must have prior DRB approval. Asphalt is not permitted on Cottage and Park Settings home sites unless specifically approved by the DRB. Driveway paving is to begin from the outside of the curbing at the street to the street side edge of the sidewalk (on lots that have, or are scheduled to have a sidewalk), and from the house side edge of the sidewalk to the garage. Home sites with a 20% or better slope/grade may be limited on allowable material selection options.

Guest parking areas of up to two cars will be allowed and must coordinate with like materials used on the driveway. These areas must be screened from the street with walls or landscape planting. Locations of these areas are to be included with the final plan submission and landscape design proposal and require DRB approval at their discretion.

If driveway is adjacent to a creek, stream or body of water, installation of a culvert is required at time of construction. The size and detail specifications must meet any local, county, state or federal requirements. Headwall construction and materials used will be the decision of the DRB based on installation requirements proposed by the governing authority.



WALKWAYS

Walkways, patios, decks and terraces are designed to be an extension of the architectural style of the home, and act as a transition from the house into the outdoors and its natural surroundings. The scale and materials used should complement the main structure. The use of all materials and colors must be approved by the DRB.

All homes will be required to install a walkway from the front door of each home to the driveway and/or sidewalk if applicable. Materials used in these areas should be consistent with the other elements of the hard scape design and require DRB approval.

LIGHTING

The use of landscape lighting should be limited to paths, walkways and driveways. Low wattage fixtures are required. All landscape illumination fixtures must have a hooded cover. Down lighting is the required method. Architectural accent lighting may be up lit not beyond the soffit, and on a timer that turns off by 11:00 PM. This helps reduce any glare or intrusion of bright lights to adjacent neighbors.

Floodlights or spotlights are prohibited. Path lighting must not exceed 3 feet in height above the ground. Landscaping with plantings and shrubs is recommended to blend these fixtures into its natural environment when not in use. All landscape lighting on the site requires DRB prior approval and detailed on the final landscape plan submittal.

Exterior lighting on the home must be of a baffled design, and in keeping with the architectural style of the structure and in compliance with the Town of Black Mountain Lighting Ordinance if applicable.

Colored exterior lighting is prohibited, except for Holiday Seasonal Lighting which may be installed/displayed between December 1st and January 1st.

Each home site may install a decorative lamp post. The maximum height of the light and post should not exceed 6 ft. The style and materials should be in keeping with the existing exterior fixtures, and is subject to DRB approval.

RECREATIONAL VEHICLES

All homeowner-owned recreational vehicles such as trailers, motor homes, campers, boats, canoes, golf carts, four-wheelers, motor cycles and bicycles must be parked within a garage. Garage maximum size restriction as outlined in this document may preclude larger recreational vehicles all together. Recreational Vehicles of guests visiting property owners will be allowed to park on the home driveway locations for a period not to exceed 7 days.

POOLS AND SPAS

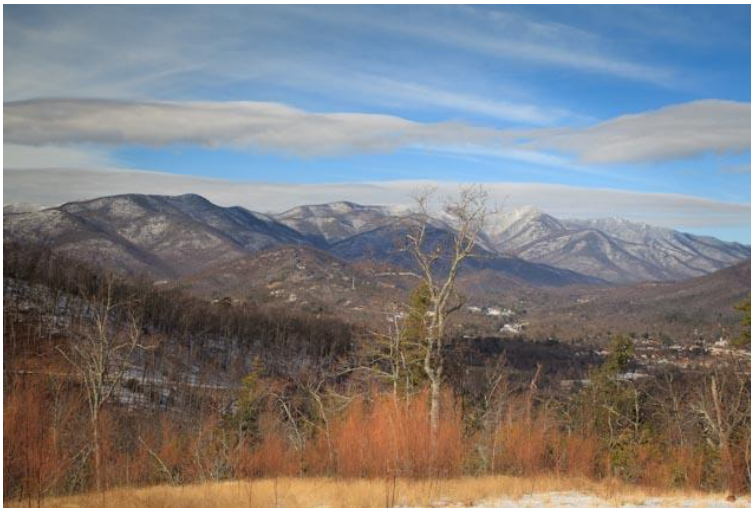
In ground pools are allowed. All pools shall have an enclosure in compliance with any local, county or town ordinances. Pools will be allowed in the rear yard & side yard areas only. Pools are prohibited on street side of corner lots. Above ground pools, either permanent or portable are not allowed. Pools and decks may not be built outside of any building setback areas.

Above ground spas are allowed in rear and side yards. They must be enclosed with approved skirting materials with prior DRB approval. As above, they are prohibited on the street side of corner lots. All pool or spa equipment must be housed and screened from view as referenced in the mechanical and utility portion of this document.

LANDSCAPING

The Western North Carolina Mountain area is rich with a wide variety of plant species and natural ground cover vegetation. A detailed Landscape Plan for your specific home site should be a part of the Builder's Submittal and prepared by a landscape architect, landscape designer, or landscaper. From the tree canopies to the extensive groundcover, each plant selection should work in harmony with the existing vegetation of each lot. Our goal from the street with the landscape design is to make the house feel as if it is nestled in the natural environment. Dense evergreen planting between home sites will provide additional privacy. Natural areas which disturb less of the existing vegetation are encouraged over expanses of grass.

Attention to maintaining views from your home site, as well as adjacent lots, is required and will add to the overall beauty in The Settings of Black Mountain. An attached list of trees, shrubs, plants and ground covers indigenous to this area is attached for your review.



A Preliminary Landscape Plan is to be submitted for review with the Final Plan Review Submittal Package, see specific site plan requirements in this document. The Final Landscape Plan shall be submitted for DRB approval no more than 180 days from the final plan submittal approval date and not less than 60 days from estimated Certificate of Occupancy.

MISCELLANEOUS LANDSCAPE ELEMENTS

- A. Any decorative yard art is subject to DRB approval.
- B. Clotheslines will not be permitted on any home site.
- C. Tennis courts within a single-family home site are prohibited. Site specific exceptions may be approved by the DRB on larger Grand Estate Home Sites.
- D. Swing set designs, materials and locations will be permitted on a case-by-case basis at the discretion of the DRB.
- E. All household trash receptacles must be located on the rear 50% portion of the house. An approved enclosure or screening is required. All trash receptacles shall be roll-out cart type, as required by your trash collector. Trash cans shall not be placed at the street curb more than 12 hours prior to collection day and must be removed from the street within 12 hours after trash pick-up.
- F. No in ground flag poles allowed. One decorative flag attached to house is allowed.
- G. Pet enclosures, pet houses, basketball goals, tree houses, or similar site related improvement structures are generally not allowed, but will be reviewed by the DRB on a case by case basis for exception on some specific home site locations. Final decision is at the discretion of the DRB.
- H. Wells will be allowed for irrigation purposes only. Their location must be in the rear of the property and out of view from the street, buried or located within the main structure, so as not to be visible. Landscape screening is required if outside.
- I. Propane tanks will be allowed only if natural gas is not available. Location & Detail must have DRB approval to include tanks being buried and fill necks screened.
- J. Landscape should not impede the view features of other residences.



RECOMMENDED LANDSCAPING SPECIES NATIVE TO
BLACK MOUNTAIN, NORTH CAROLINA

SMALL TREES

<u>Scientific Name</u>	<u>Common Name</u>
Amelanchier Arborea	Serviceberry
Castanea Pumila	Chinquapin
Cercis Canadensis	Eastern Redbud
Chionanthus	Fringetree
Comus Alteroifolia	Pagoda Dogwood
Comus Florida	Flowering Dogwood
Comus Kousa	Kousa Dogwood
Halesin Carolina	Carolina Silverbell
Hamamelis Virginiana	Common Witch-Hazel
Ilex Opaca	American Holly
Magnolia Fraseri	Umbrella Tree
Ostrya Virginian	Eastern Hophornbeam
Oxydendrum Arboreum	Sourwood
Pistacia Chinensis	Pistachio
Prunus Pensylvanica	Pin Cherry
Prunus Serotina	Black Cherry
Ptelea Trifoliata	Hoptree
Sassafras Albidum	Common Sassafras
Sorbus Americana	American Mountain Ash
Stewartia Ovata	Mountain Stewartin
Tilia Cordata	Littleleaf Linden
Viburnum Rfidulum	Blackhaw Viburnum

LARGE TREES

Scientific Name

Common Name

Acer Rubrum Acer
Saccharum
Aesculus Flava
Betula Allegheniensis
Betula Lenta
Betula Papyrifera
Carya Cordiformis
Cladrastis Lutea
Fagus Grandifolia
Liriodendron Tulipifera
Magnolia Acuminata
Nyssa Sylvatica
Picca Rubens
Quercus Alba
Quercus Prinus
Quercus Palustris
Quercus Phellos
Quercus Rubra
Quercus Stellata
Tilia Americana
Tsuga Canadensis
Tsuga Caroliniana
Ulmus Americana

Red Maple
Sugar Maple
Yellow Buckeye
Yellow Birch
Sweet Birch
Paper Birch
Bitternut Hickory
Yellowwood
Beech
Tulip Tree
Cucumber Tree
Black Tupelo
Red Spruce
White Oak
Chestnut Oak
Pin Oak
Willow Oak
Red Oak
Post Oak
American Linden
Canadian Hemlock
Carolina Hemlock
American Elm

LOW SHRUBS

Scientific Name

Callicarpa Dichotoma
Ceanothus Americana
Cotoneaster Horizontalis
Diervilla Sessilifolia
Euonymus Americana
Hydrangea Arborescens
Hypericum Prolificuym
Leucothoe fontanesiana
Mahonia Aquifolium
Potentilla Fruticosa
Viburum Acerifolium

Common Name

Beautyberry New Jersey
Teal Rockspray
Cotoneaster Southern
Honeysuckle Evergreen
Bittersweet Snowhill
Hydrangea Shrubby
St.John's Wort
Drooping Leucothoe
Oregon Holly-Grape
Bush Cinquefoil
Maple-Leaf Viburnum

MEDIUM SHRUBS

Scientific Name

Common Name

Abelia Grandiflora	Gloss Abelia
Callicarpa Americana	American Beautyberry
Clethra Acuminata	Sweet Pepperbush
Comus Sericca	Redtwig Dogwood
Fothergilla Major	Large Fothergilla
Hydrangea Quereifolia	Oakleaf Hydrangea
Hypericum Densiflorum	Dens Hypericum
Ilex Montana/ambigua	Mountain Winterberry
Ilex Verticillata	Common Winterberry
Kalmia Latifolia	Mountain Laurel
Kerria Haponica	Kerria
Mahonia Bealei	Leatherleaf Mahonia
Pieris Floribunda	Mountain Andromeda
Pieris Japonica	Japanese Andromeda
Pyracantha Coccinea	Scarlet Firethorn
Rhododendron Calendulaceum	Flame Azalea
Rhododendron Carolinianum	Carolina Rhododendron
Rhododendron Catawbiense	Mountain Rosebay
Rhododendron Nudiflorum	Wild or Pinxter Azalea
Symphoricarpus Orbiculatus	Coral Berry
Viburnum Alnifolium	Hobblebush
Viburnum Cassinoides	Withered Viburnum
Viburnum Burkwoodii	Burkwood Viburnum

TALL SHRUBS

Scientific Name

Common Name

Aesculus Parviflora
Alnus Serrulata
Rhododendron Hybrida
Rhododendron Indica
Rhododendron Periclymendoide
Calcanthus Floridus
Chimonanthus Praecox
Euonymus Alata
Ilex Decidua
Ilex vomitoria
Lonicera Fragrantissima
Rhododendron Maximum
Rhododendron Prinophyllum
Rhododendron Prunifolium
Salix Sericea
Sambucus Canadensis
Spiraea Prunifolia
Syringa Vulgaris
Syringa Persica
Viburnum Plicatum
Viburnum Rhytidoophyllum

Bottlebrush Buckeye
Common Alder
Exbury Hybrid Azalea
Indian Azalea
Pinterbloom Azalea
Seetshrub
Wintersweet
Winged Euonymus
Possumhaw
Yaupon Holly
Winter Honeysuckle
Rosebay Rhododendron
Rosy Azalea
Plum Leaf Azalea
Silky Willow
Elderberry
Bridleweath Spirea
Common Lilac
Persian Lilac
Doublefile Viburnum
Leatherleaf Viburnum

GROUND COVER

Technical Name

Ajuga Reptans
Sotoneaster Dammeri
Festuca ovina
HBelleborus Orientalis
Hetnerocallis Hybrida or Fulva
Hosta/Many Species
Pachysandra Alleghanicosis
Pachysandra Terminalis
Phlox Subulata

Common Name

Bugleflower
Bearberry Cotoneaster
Blue Fescue
Lenten-Rose
Daylily
Hosta, Plantain
Alleghany Spurge
Japanese Spurge

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