

SKYTOP FARM
ARCETECHTURAL
REVIEW
COMMITTEE

GUIDELINES

FOR

Skytop Farm

HENDERSONVILLE, NORTH CAROLINA

(SINGLE-FAMILY RESIDENTIAL)

UPDATED - May 2018

Skytop Farm Architectural Guidelines

Dear Property Owner:

It is our primary goal to achieve an uncommon and visually pleasing blend of natural beauty with man-made improvements at Skytop Farm. Residential activity and active recreational areas have been successfully integrated within a park like setting. Skytop Farm developers have implemented a carefully researched and appropriate plan which they, in great part, administer through the Skytop Architectural Review Committee (SARC).

Environmentally sensitive design can only be achieved through a careful, well thought-out response to the configuration of your particular lot and the vegetation and topography of the building site. One of our objectives is to assist you in your planning efforts and we stand ready to do so.

These guidelines are intended to serve as your benchmark in the often complex process of planning a new home. While this document can prove to be a helpful tool in planning homes at Skytop Farm, it can neither provide every answer nor guarantee ideal solutions for every situation. Nevertheless, as questions arise concerning your building plans, our staff and the committee itself will be most happy to help you. We encourage you to participate when possible in all presentations to the Board as they are made by your architect, designer or builder.

We hope you, your architect and builder will find these guidelines helpful and we encourage your questions and comments. If we may be of any assistance whatsoever, please do not hesitate to call on us.

Sincerely,

Skytop Farm Architectural Review Committee

TABLE OF CONTENTS

Acknowledgement	4
I. ARTICLE 1 Introduction	5
II. ARTICLE 2 Initial Design and Construction Regulations	6
Section 2.0: Work Hours	6
Section 2.1: Site Planning	6
Section 2.2: Setbacks	6
Section 2.3: Improvements	6
Section 2.4: Landscaping Plan	7
Section 2.5: Family Dwelling	7
Section 2.6: Home Size	7
Section 2.7: Home Styles	7
Section 2.8: Height	7
Section 2.9: Exterior Materials	8
A. Exterior Walls	8
B. Roofs and Gutters	9
C. Doors and Windows	9
D. Surfaces	10
Section 2.10: Exterior Walls	10
Section 2.11: Roof	10
Section 2.12: Patios, decks and Walks	11
Section 2.13: Landscaping	11
A. Front Yard	11
B. Back Yard	11
C. Side Yard	11
Section 2.14: Retaining Wall	11
Section 2.15: Fences and Screening	12
Section 2.16: Driveways and Parking	12
Section 2.17: Accessory Structures	12
Section 2.18: Exterior Lighting	12
Section 2.19: Trash Receptacles	12
Section 2.20: Utilities	12
Section 2.21: Housekeeping Debris & Trash Removal	13
Section 2.22: Chemical Toilets	13
Section 2.23: Construction Site Boundary Limits	13
Section 2.24: Excavation/Grading	13
Section 2.25: Drainage	14
Section 2.26: Erosion Control	14
Section 2.27: Dust, Noise and Odor	14
Section 2.28: Mailboxes and Accessories	14
III. ARTICLE 3 Landscaping	15
Section 3.1: Trees and Flowering Shrubs	15
Section 3.2: Exterior Lighting	15
Section 3.3: Fences	15
Section 3.4: Watercourses	15
Section 3.5: Special Restrictions	15
Section 3.6: Suggested Plant Material	16
Section 3.7: Invasive Plant Materials	17
Section 3.8: Vegetable Gardens and Fruit Trees	18

IV.	ARTICLE 4 Architectural Review Procedures	20
	Section 4.1: Architectural Review	20
	Section 4.2: SARC Approval	20
	Section 4.3: Deemed Approval	20
V.	APPENDIX	
	A. Schedule of Fees for Skytop Architectural Review Committee	22
	B. Schedule of Fees for Architectural Review Board Site Inspections	23
	C. SARC Application for Preliminary Review	24
	D. SARC Application for Final Review and New Construction	25

DESIGN GUIDELINES
FOR SKYTOP FARM
HENDERSON COUNTY, NORTH CAROLINA

(SINGLE-FAMILY RESIDENTIAL)

ACKNOWLEDGMENT

I _____ and _____,
(print name) (print name)

property owner(s) of Lot _____ in Skytop Farm, Henderson County, North Carolina, hereby acknowledge that I (we) have received and read these Design Guidelines (SARC) for property located in the private, residential development of Skytop Farm, Henderson County, North Carolina. I understand it is my (our) responsibility and the responsibility of my (our) agent(s) to observe the stipulations of the Design Guidelines. Lastly, I (we) understand that I (we) are responsible for insuring that these Design Guidelines are adhered to related to our property ownership in Skytop Farm.

I/we will become liable for any and all legal fees incurred by Skytop Farm HOA for any non-compliance of submitted plans.

(Owners Signature) (Date)

(Owners Signature) (Date)

**A SIGNED ACKNOWLEDGMENT FORM MUST BE SUBMITTED BEFORE ANY
SARC APPROVAL WILL BE GRANTED.**

ARTICLE 1:
INTRODUCTION

These Design Guidelines (SARC) have been promulgated and adopted by the Skytop Farm Homeowners Association (SFHA), to establish standards, rules, and guidelines applicable to the family dwellings and other improvements to be constructed or installed on lots in Skytop Farm, a private, residential subdivision located in Henderson County, North Carolina. These guidelines are to be implemented by the Skytop Architectural Review Committee (SARC) that is to be comprised of three (3) members, but no more than five (5) members. The SFHA reserves the right to final review and approval of all committee recommendations.

These Design Guidelines supplement and relate to Article 6 of the Declaration of Covenants, Conditions, and Restrictions for Skytop Farm and are binding upon all owners who acquire lots within Skytop Farm and their architects, consultants, contractors, and agents.

ARTICLE 2:
DESIGN & CONSTRUCTION REGULATIONS

All architects, consultants, contractors, agents, and property owners shall be familiar with and abide by these Design Guidelines and the applicable sections of the Declaration. The SARC may grant variances to the standards, rules, and guidelines outlined in these Design Guidelines on a case-by-case basis. The SARC may also promulgate construction and design criteria that are more restrictive than those established by applicable County Subdivision Regulations. The following criteria shall apply to all construction in Skytop Farm, Approved Engineered Septic System plans, and Henderson County OSSF regulations.

Section 2.0 Work Hours. All contracts, subcontractors, hired labor will be allowed to perform work in STF during the hours of 7:30AM and 5:30PM Monday through Friday. Work on holidays will not be permitted.

Section 2.1 Site Planning. Each construction site within STF has its own specific qualities and characteristics. The SARC will be looking critically at site plans to determine whether existing features are respected and sensitively utilized. Plans that minimize disturbances of existing vegetation, rock formations, natural topography, and drainage patterns are preferred. These plans shall be a drawn to scale site plan with the orientation of the residence and landscaping plan included. These plans shall be drawn by a landscape architect or planner. Respect for adjacent development and construction is essential. Coordination of elements such as building massing and material compatibility will be helpful in obtaining approval of plans. All construction and development within Skytop Farm must comply with applicable subdivision regulations of Henderson County, North Carolina.

Section 2.2 Setbacks. The development plan for Skytop Farm provides for minimum setbacks, which are as follows:

Front 35 feet - Side 15 feet - Rear 35 feet

However, one exception to the setbacks is corner lots will have a front setback of 35 feet from each road right of way, and the rear setback may be altered with the approval of the SARC. Exceptions may be granted, on a case-by-case basis, for lots with minimal building area that may restrict a lot from meeting the minimum square footage required for Family dwellings within Skytop Farm. In approving plans for a Family Dwelling Unit on a lot, the SARC may impose setbacks that are greater than the minimum setbacks required by Henderson County, North Carolina.

Section 2.3 Improvements. All of the following are “Improvements” and require review and approval by the SARC:

- A. Any grading and/or disturbance of vegetation
- B. Drainage improvements or alterations
- C. Road or driveway construction

- D. Natural and paved walkway construction
- E. Utility construction or installation
- F. New construction of a Family Dwelling
 - Any other new construction or installation of other structures and site features such as: accessory buildings or sheds; greenhouses; hot tubs; gazebos; bridges; retaining walls; landscaping; any type of enclosures, play/sport equipment, exterior lighting, columns, etc.
- G. Additions to / or renovations of existing structures such as room additions, construction of solar facilities, etc., that to or might alter the exterior appearance.
- H. When in doubt concerning any planned or intended improvement, the property owner and his or her representative understands that such planned or intended improvements will need to be submitted to the SARC in advance for consideration.

Section 2.4 Landscaping Plan. The owner shall provide a landscaping plan drawn by a landscape architect or planner that depicts existing lot vegetation / foliage, proposed modifications and / or changes to existing vegetation / foliage on the lot, as well as to any proposed additions of vegetation, additional landscaping, pathways, walls, driveways, lighting, or other similar items at any time during lot and/or home ownership. (See Appendix 1 for approved plant list).

Section 2.5 Family Dwelling. As used in these Guidelines, “Family Dwelling” shall mean single-family detached house constructed or proposed to be constructed on a lot in Skytop Farm.

Section 2.6 Home Size. Square Footage will be calculated from the outside wall. The minimum square footage shall be 2,800 square feet of heated living space on the main level. Two story homes built to minimum 3,800 square footage heated living space with 2800 square feet on main level. All requirements shall be designed so as to blend with other home dwellings in the community. No credit will be given for basements, garages, decks, or covered porches. Variances will be considered based on site constraints

Section 2.7 Home Styles. Architectural standards are established so owners may benefit from the natural advantages of a lot’s location. All buildings must be designed to fit the natural contours of the lot without excessive grading intervention. In reviewing the plans of a proposed building, scrutiny may be given to the massing, period architectural esthetics, architecture proportions, and overall scale of the building in relation to the site and neighboring properties.

Section 2.8 Height. Specific maximum building heights have been established by the development plan for Skytop Farm. Building heights are not to exceed 35 feet in height from the natural grade level. In addition to these maximum building heights, the SARC strongly suggests that the owner consider

- (1) the qualities of the site;
- (2) the surrounding grades and view corridors;
- (3) the existing slopes, and;

(4) SARC design guidelines for vegetation and orientation. Lower buildings are generally more appropriate on more exposed sites, while taller buildings can be incorporated into sites which are less visible and / or more protected. Lots may have height restrictions placed on them during architectural review or on the final development plan.

Section 2.9 Exterior Materials. The exterior materials used on homes in Skytop Farm will be as follows:

- A. Exterior Walls.** All homes in Skytop Farm will use natural stone, Stucco, Natural Wood, Hardiboard, or a pre-approved equal as the primary exterior material. Any brick must be approved by SARC.
1. Walls shall be finished in wood clapboard (sealed with paint or stain), board and batten, and/or cedar shingles, “hardie plank”, stucco, or stone. Other materials are subject to approval by SARC.
 2. Foundation Walls and Piers shall be parged block, board over block, traditional stucco or stone.
 3. Application and methods
 - a. Walls may be built of no more than two materials and shall only change material along a horizontal line, i.e. cedar shingles may be combined with wood siding when the material change occurs horizontally (typically at a floor line or a gable end) with the heavier material below the lighter.
 - b. All the walls of a single building must be built of the same materials in the same configuration except as approved by the SARC. Wood clapboard and shingles shall be horizontal.
 - c. Siding shall be horizontal, maximum 8”-10” to the weather.
 - d. Shingles shall be maximum 8” to the weather. Decorative shingles shall not be permitted. Shingles shall be machine-cut and have bottom edges align.
 - e. All natural stone work shall be a minimum 6” veneer and shall be subject to approval by the SARC.
 - f. Stucco shall be smooth and finished or pebble cased.
 - g. Lattice shall be installed between supports, vertically and horizontally (not diagonally).
 - h. Trim shall be minimum grade ‘B’ trim lumber and shall be 3.5” to 6” in width at corners and around openings, except at the front door which may be any size (3.5” minimum) or configuration.
 - i. Paints and Stains: All Exterior Smooth Wood trim shall be painted. Wood shingles shall be stained unless approved by SARC.
 - j. No vinyl or aluminum shall be allowed.
- B. Roofs & Gutters.**
1. All roofs shall be 240# or better composition shingle, slate, or pro-panel metal in the darker color ranges of slate gray, gray green, dark green,

brown, dark charcoal and brown mix or very similar color. (See Section 2.11 below for further clarification).

2. Gutters and Downspouts, when used, shall be made of galvanized steel, aluminum, copper (not copper-coated), anodized or ESP aluminum. Flashing shall be copper or galvanized metal. Copper roofs, flashing, gutters and downspouts shall be allowed to age naturally (not painted or sealed).
3. Methods
 - a. Principal Roofs shall be a symmetrical gable or hip with a slope of 8:12 to 15:12.
 - b. Ancillary Roofs (attached to walls at the highest portion of the principal building) may be sheds sloped no less than 3:12 covered with metal. Roofs on towers shall be flat or have a slope of 4:12 to 8:12.
 - c. Soffits to be a standard of 24"-36". Rakes are to be a standard of 12" –24".
 - d. Roof Penetrations shall be placed on the rear slope of the roof. Roof penetrations shall be painted to match the color of the roof, except those made of metal, which may be left unpainted.
 - e. Skylights shall be flat and mounted only on the rear slope of the roof.
 - f. Dormers are encouraged and shed dormers must be covered in metal.

C. Doors & Windows.

1. Exterior "front" doors must be wood, approved decorative architectural metal door or pre-approved comparable synthetic materials. Designs may vary so long as the community design theme is complimented. All wood must be stained to compliment the exterior siding and trim colors. All exterior colors must be approved by the SARC. Garage doors may be wood, metal, bronze or copper and must have a wood veneer stain to match other doors and the overall exterior color theme.
2. Windows shall be made of primed wood (painted) or exterior aluminum clad, and shall be glazed with clear glass. All trim shall be no less than 3".
3. Bay Windows shall be made of trim lumber. Corner trim shall be no less than 6".
4. Doors (including) garage doors) shall be wood. Doors shall be painted and approved by SARC.
5. Shutters shall be wood, painted and operable.
6. Security Doors and Window Grilles must be approved.
7. All Windows must be simulated divided lites with muttin bars.
8. Methods
 - a. Windows shall be rectangular single, double or triple-hung, awning, fixed (under 2 s.f.) or operable casement types with vertical proportion.

- b. Transoms may be oriented horizontally with panes of vertical proportions. In masonry walls the centerline of the window sash shall align with the centerline of the wall.
- c. Window muntins shall be true or simulated divided light and create panels of square or vertical proportion.
- d. Bay Windows shall have a minimum of 3 sides and shall extend to the floor inside and to the ground outside or be structurally supported by brackets.
- e. Doors shall be hinged. Doors, except garage doors, shall be constructed of planks or raised panels (not flush with applied trim), which express the construction technique.
- f. Garage doors facing a street frontage shall be a maximum of 9' in width.
- g. Stucco Trim articulations shall be subject to approval by the SARC.
- h. An Accent Color for items such as the front door and shutters may be used subject to the approval from the SARC.
- i. No vinyl shall be allowed.

D. Surfaces. No bright or unfinished surfaces will be allowed on any exterior surfaces. Brushed metal accents and copper accents shall be allowed with pre-approval of the SARC. All metallic surfaces such as roof vents, fireplace flues and gutters shall be coated or painted a color that compliments exterior surface colors.

Section 2.10 Exterior Walls. The exterior walls of a building are obviously an important part of its overall visual impact and must be carefully considered for effect on proportions, continuity and illumination. The connection from the walls to the foundation should be treated so the transition from one material to the next is smooth and complimentary to the overall community color theme and design. Exterior wall must be natural stone, brick, or Hardiboard or a pre-approved "equal" cement based material. (See Section 2.9 above).

Section 2.11 Roof. The form of the roof and the materials used on it create a significant part of the visual impact of a structure and will be carefully reviewed by the SARC. Gable, hip and approved shed roofs will generally be acceptable for residential construction. Metal roofs and A-frame roofs will generally not be acceptable. However, such metal / A-frame roof styles and / or any other unique roof forms proposed may be submitted to the SARC, on their individual merits, and on a case-by-case basis. The fact that the SARC is willing to review such varying designs does should not be construed to assume approval. All roofs shall have a minimum 8/12 pitch and shall be constructed of composition, slate, or pro-panel metal type materials and must meet uniform building code and all load requirements. Roofing materials to be used for replacement of an existing roof must be submitted to the SARC in advance for review and approval (see section 2.9 above). All roof extensions such as chimneys, flues and skylights should be carefully positioned and finished to clearly compliment other elements for the dwelling's design.

Section 2.12 Patios, Decks and Walks. Outdoors living areas connected to and / or coordinated with the main residential structures are encouraged. Privacy walls should be made of materials that are the same as the materials used in the dwelling and should be the same color as the particular building to which they are appurtenant. Walks extending from the outdoors living space to the remainder of the lot and / or to the other common walks are desirable. These should be aligned to fit easily with the existing terrain and vegetation and should be constructed of stable, subdued materials appropriate to the expected use.

Section 2.13 Landscaping.

- A. Front yard landscaping requirements: A minimum of 4 trees (2" Caliper minimum) not less than 10 feet in height and 24 shrubs as approved by the SARC are required per lot.
- B. Back yard landscaping requirements: A minimum of 3 trees (2" Caliper minimum) not less than 10 feet in height and 12 shrubs.
- C. Side yard requirements: Slope of the yard should insure that drainage of all run off is directed into designated drainage areas (as indicated on the Skytop Farm final plat). No plant or fixture of any kind shall be permitted on the lot line that will or could, in any form, obstruct drainage.

Note: Side yard planting shall be uniform with the front and rear of residence.

Section 2.14. Retaining Wall. Should any retaining walls be constructed on a lot, they should be as low as possible to a maximum of 4 feet. If retaining a slope higher than 4 feet is necessary, retaining walls should be terraced so that no single wall exceeds a maximum height of 4 feet to minimize impact.

Materials used should complement the natural surroundings and the architecture of the Family Dwelling with use of rock boulders, stone, masonry or other materials compatible within the exterior of the home and with the prior approval of the SARC. The use of textures within and/or colored concrete will require specific pre approval.

Section 2.15. Fences and Screening. All fences and screening, including fence materials and/or berm, must be pre-approved by the SARC.

Section 2.16. Driveways and Parking. All driveways shall be constructed so as not to interfere with any natural drainage or to create any additional erosion to the property. It shall be the sole responsibility of owner to have driveways using asphalt or concrete. Access from the street should be as easy as possible without overly emphasizing parking areas or the garage. Parking areas should be located out of major sight lines and partially screened with grading and planting when feasible. Driveways should intersect the road at approximately 90 degrees for maximum visibility for traffic safety. All driveways must be approved by SARC.

Section 2.17 Accessory Structures. If any improvement is to be constructed or installed on a lot, it should adhere to applicable guidelines for buildings and site planning. It is important that the massing and scale, as well as forms, materials, and other detailing, be well coordinated with the main structure on the site. Any accessory structure shall be

constructed at the rear of the main residence, as to be less visible from subdivision roadways. Where this is not applicable the structure must be heavily screened by vegetation. Some or all lots may not be applicable to any accessory structure. No pre-constructed accessory structures will be allowed.

Section 2.18 Exterior Lighting. The following shall apply to exterior lighting on homes in Skytop Farm. Indirect sources and horizontal cutoff fixtures (hooded fixtures) are required to reduce glare and provide general ambient light. No exterior lighting from which the direct source is visible to a neighboring residence or produces excessive light pollution or glare to pedestrian or vehicular traffic shall be allowed. When exterior lighting is used, soft-white exterior lights are required. Low-level landscape lighting immediately adjacent to the residence may be permitted. Up lighting of any sort is strictly prohibited. All exterior illumination used for buildings, driveways, walks, signs, and general landscape purposes shall be of a “sharp cut-off” design minimizing impacts on adjacent properties. Lighted columns require specific approval by the SARC.

Section 2.19 Trash Receptacles. All areas used for storage of solid waste shall be screened from off-site views using materials and forms complementary to the main Family Dwelling. Except on designated trash pick-up days, no trash receptacle shall be kept outside of an enclosed screened area. Rubbish, garbage or other waste shall be kept and disposed of in a sanitary manner. No burning of trash or rubbish shall be permitted at any time. Enclosed trash containers and maintenance thereof will be required during construction.

Section 2.20 Utilities. Construction of utilities shall be carefully coordinated with existing site conditions and shall meet with and comply with all applicable governing rules, guidelines and ordinances. All utility trenches and ditches shall be per approved by the SARC and shall be properly compacted. All construction, including storage of excavated and backfill materials, shall respect all boundaries of areas to be preserved. Easements are described in the Skytop Farm final plat. All future electric and telephone lines shall be extended underground. Easements for installation and maintenance of utilities, roadways and such other purposes incidental to development of Skytop Farm, as reserved and shown by notes on the recorded plat of the property, shall be kept open and readily accessible for use, service, and maintenance. No owner shall dam, re-channel, pond, or otherwise hinder the natural flow of any creek or river.

Section 2.21 Housekeeping Debris & Trash Removal. Daily clean-up of the construction site is mandatory. All construction trash and debris shall be stored in a commercial container. Such container shall be emptied at least once per week. Such container shall be situated on the lot so as not to interfere with normal traffic flows. All trash, debris and soil “runoff” which finds its way to any streets or ingress / egress points shall be removed daily. It is essential that all lots for homes under construction be kept free of trash, debris and other leftover construction materials at all times.

Section 2.22 Chemical Toilets. Chemical toilets shall be provided by the contractor beginning no later than the first day any work activity begins on the lot. Such toilets are to be placed in an obscure area as possible while also being positions on the street side of

the lot yet as far away from the curb as possible. Chemical toilets are to be maintained in a sanitary condition at all times.

Section 2.23 Construction Site Boundary Limits. The contractor shall provide the SARC with a detailed plan of construction site boundary limits prior to construction. The plan shall include size and location for construction materials, storage areas, limits of evacuation, access areas, parking, chemical toilet location, “approved” temporary structures, dumpsters (minimum approved size), fire extinguishers, utility trenching, and a construction sign.

Section 2.24 Excavation/Grading. Excess excavation material shall be removed for on a “daily” basis and shall not be placed in any common areas, roads or other lot areas, except as approved, in advance, and on the owner’s lot only. Contractors are expressly prohibited, during backfill and final grading operations, from spreading excess debris or material over the remainder of the lot without prior approval of the SARC. All plans should be designed to minimize the extent of grading required. Techniques for doing this include “stepping” building down slopes, providing access across slopes instead of down them, and using low retaining walls where necessary and/or appropriate. Where grading is necessary, cut and fill slopes should be kept to a maximum of 2:1, with steeper slopes permitted (if permitted by soils engineer) when excessive disturbance of ground would otherwise-result. All graded slopes should be “rolled” back into existing slopes so the “no” sharp contrast exists between existing and disturbed slopes. All areas that are to be preserved (such as trees, shrubs, rock outcrops) shall be marked and protected throughout the construction period. ALL GRADING PLANS REQUIRE THE APPROVAL OF THE SARC PRIOR TO ANY GRADING ACTIVITY.

Section 2.25 Drainage. No owner shall interfere with or redirect the intended flow of any drainage or runoff, nor construct any improvement, place any landscaping, or allow the existence of any condition that will alter the drainage plan as designed and intended by the developer and governing authorities. Any construction activity which might or could, in any way, interfere with the intended development drainage plan, MUST be presented to the SARC in advance and must be approved, in advance, of any such interference. Where disruption or realignment of the development drainage plan is considered to be a necessity, and upon pre-approval of the SARC, such reconstruction must occur in a naturalized manner that will allow water to flow in a non-destructive drainage course. If culverts or structural channels are required, they shall blend in with existing environments and drainage plans.

Section 2.26 Erosion Control. During any periods of site disruptions, industry approved techniques for controlling erosion within the site and onto other sites shall be applied. Such methods include sedimentation basins, filtration materials such as hay bales or permeable geo textiles and slope stabilization fabrics. Proper re-vegetation shall begin as quickly as possible after soil disturbance. Grading shall be maintained at all times so as to conduct irrigation and surface waters away from structures. Community approved as well as industry and governmental approved drainage plans must be followed at all times.

Section 2.27 Dust, Noise & Odor. Every continual effort shall be made by the contractor and sub-contractors to control dust, noise, and odor emitted from any construction site. The contractor will be responsible for watering or screening dust problem areas as well as controlling noise and offensive odors from the lot. Measures taken to manage this potential shall be consistent with accepted industry standards.

Section 2.28 Mail Boxes, Decorative Accessories & Exterior Installations. All exterior accessories, including but not limited to mailboxes, address numbers, hardware, ornamentation, light fixtures, pole lamps, paint, exterior stains, and any other exterior surface must have prior written approval for the design and placement by the SARC prior to installation. Such accessories must conform to the prevailing theme of the Skytop Farm community. To ensure uniformity, the mailbox will be ordered through Skytop Farm HOA. Price will be current market price, see appendix A.

ARTICLE 3 **LANDSCAPING**

Section 3.1 Trees and Flowering Shrubs. No flowering trees, shrubs, or evergreens of any size, or deciduous trees measuring five (5) inches or greater in diameter at a point one (1) foot above ground level, may be removed without the prior written approval of the SARC, unless located within twenty (20) feet of the building, or within five (5) feet of the right-of-way of driveways and walkways. Excepted here from shall be damaged trees, or trees which must be removed because of emergency. However, should a Lot Owner remove any tree or vegetation as herein provided without the above-described written approval, or negligently or intentionally damage any tree or vegetation as herein provided, said Lot Owner shall, after notice and opportunity to be heard, be liable for an assessment in the amount of Fifteen Hundred Dollars (\$1,500) for each tree or other plant removed.

Section 3.2 Exterior Lighting. All exterior lighting must be approved by the SARC. Down lighting is preferred to reduce glare and light pollution. The location, placement and direction of lighting should enhance the landscape and residence and must not infringe upon adjacent property owners. The lighting/washing of exterior house walls is discouraged. Exterior light fixtures should be conservative in number. Spot and floodlights must be hooded to minimize direct visual impact. Colored lights are prohibited except during certain holiday seasons such as Christmas, but must be removed as soon as the holiday passes.

Section 3.3 Fences. Fences are structures and as such require pre-approval as to design and location by the SARC. They are generally discouraged except as required by building codes such as enclosing a swimming pool. When fences are necessary or desired, they must harmonize in character and color with the house and landscape design. Fences are not permitted without written SARC approval. Natural fences and berms are allowed and encouraged, but must be included on the landscape plan.

Section 3.4 Watercourses. No lake shall be constructed, nor shall the course of any stream be changed, nor any culverts installed in any stream without prior written approval of the SARC and all controlling state and federal agencies.

Section 3.5 Special Restrictions. 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 SARC. Decorative features such as sculptures, birdbaths, birdhouses, fountains, swimming pools or other decorative embellishments visible from any street must be approved by the SARC. Tennis courts on lots are not allowed. Swing sets and similar outdoor play structures and equipment are discouraged and will only be allowed with SARC approval.

Section 3.6 Suggested Plant Material. The following is a list of plant materials that are generally accepted as compatible with the natural vegetation on the mountain. The list represents a core group of plants, which are mostly native to the area and generally perform well in the mountain environment. The purpose is to provide landscape designers and owners not familiar with the area a sense of plant materials well suited to this environment. *The list is not exhaustive and many species not on the list are worthy of consideration.* However, all plants should be evaluated for their potential to be invasive in this environment and, in particular, those plants listed in Appendix 2 must not be included in a landscape design.

DECIDUOUS TREES

- Birch - Not common on the mountain but planted for landscape accent.
- Black Gum - Very common and native to the mountain. Black tupelo is an alternative name for this tree.
- Bradford Pear - Used very extensively in landscapes both on and off the mountain for its shape, spring flowers and fast growth. Unfortunately, it is a structurally weak tree and very susceptible to snow, wind and ice damage which ruins its shape.
- Dogwood *Cornus florida* - native to the mountain and very common although very susceptible to anthracnose. Other varieties such as *Cornus kousa* resistant to this disease.
- Eastern Redbud - Native to the area.
- Hickory - Common on the mountain, varieties to consider are bitternut, pignut or moothbark, and shagbark hickory.
- Maple - Less common on the mountain, varieties to consider are red, and some varieties of sugar maple. Avoid silver maple as they are structurally weak and will not stand up to the winds, which can occur on the mountain. Smaller varieties such as Japanese maples, trident maple, and shagbark maple are useful as landscape accent trees.
- Oaks - Very common on the mountain, varieties to consider are chestnut, southern red, black and white oak
- River birch (*Betula nigra*) - is the only species that will thrive in this environment.
- Sourwood - Very common and native to the mountain.

- Sweetgum - Native to the area but not common on the mountain.
- Yellow Poplar - Very common on the mountain, known as tulip tree. Described in some sources as “one of the tallest and most beautiful eastern hardwoods.”

EVERGREEN TREES

- Cedar - Eastern red cedar is native to the mountain. Subject to deer damage. Though not native to North America, deodar cedar is worthy of consideration.
- Corvitae - Not native to North America, though used for landscaping on mountainous terrain. Subject to severe damage from deer browsing.
- Hemlock - The common variety of hemlock in most nurseries is Canada hemlock (*Tsuga Canadensis*). There is a variety (Carolina hemlock, *Tsuga caroliniana*) native to the southern Appalachians from Virginia to Georgia, which is more appropriate to the mountain if it is available commercially. It should be noted that hemlocks are subject to severe damage from deer browsing. They also are susceptible to being killed by infestation by woolly adelgid. This is an insect that has spread from New England south through the eastern states and has now been found as close as Oconee and Pickens Counties in South Carolina. Should it spread to this area there is essentially no practical way of protecting mature trees.
- Holly - American holly is native to the area. Most hollies do well in mountain locations.

SHRUBS

- Azalea - Native to the mountains with several varieties, both deciduous and evergreen, available for landscaping.
- Mountain Laurel - Native to the mountains.
- Pieris - Not native to the mountains, but a useful plant to provide variation when mixed with azaleas, laurel and rhododendron.
- Rhododendron - Native to the mountains with several varieties available for landscaping.

Section 3.7 Invasive Plant Materials. The plants in the following list are either known to be invasive in a variety of environments or are plants that are known to be invasive in some environments. The plants on this list should *not* be included in landscape plantings or plans. A few of these plants, crown vetch and kudzu in particular, have been introduced to the mountain and area demonstrating their ability to invade anew areas. Limiting further spread of these two plants in this rugged terrain will be very difficult if not impossible. The introduction of additional invasive species in the mountain environment has the potential to dramatically change the natural landscape, which is one of the attractive features of the community.

The SARC recommends that all plant materials used in landscaping be obtained from a source that can provide accurate identification of the materials. This is important, as there

are situations where some varieties of a species are invasive and while others are not. If you elect to use a “noninvasive” cousin of an invasive plant, the planting should be carefully monitored for evidence of aggressive growth and spreading which may indicate the plant is not suitable for use in a mountain landscape.

AQUATICS

- Diamond milfoil or Parrot feather (*M. aquaticum*) - is another invasive variety of milfoil.
- Eurasian watermilfoil (*Myriophyllum spicatum*) - Although there are some milfoils that are not considered invasive, the use of any milfoil in a garden water feature is discouraged. Eurasian water milfoil is a major problem in the lakes of New England and if it were to become established it would ruin the pond on the property.

HERBS

- Canada thistle (*Cirsium arvense*) - Many members of the genus *Cirsium* are invasive with grassy mountain slopes and are a favored habitat.
- Chinese lespedeza (*Lespedeza cuneata*) - Be sure the varieties of lespedeza available in garden centers are properly identified.
- Cogon grass (*Imperata cylindrical*) - Also known as Japanese blood grass.
- Fountain grass (*Pennisetum setaceum*)- This grass has the potential to be invasive but generally will not survive the cold temperatures in the mountains. Its use in a landscape as an annual is discouraged.
- Giant reed (*Arundo donax*) - An evergreen, rhizomatous perennial grass, which can reach heights of 15 feet.
- Lesser celandine (*Ranunculus ficaria*) - The genus *Ranunculus* is commonly known as buttercups. Some variants of this species are described in garden books as “extremely invasive.” None of the variants of this species should be included in a landscape.
- Purple loosestrife (*Lythrum salicaria*) - This loosestrife is very invasive and a major problem in several states. It invades wetland habitats, which makes it a major threat to the ponds and streams on the golf course. It has been declared a noxious weed in several states where its sale has been banned.

VINES

Most vines by nature tend to climb over other plants and structures in their habitat and rapidly develop an overgrown look if not pruned on a regular basis. Based on this characteristic alone, they are not particularly desirable plants for landscaping on the mountain as un-maintained plantings could readily spread into natural areas. The following specific vines should be avoided.

- Climbing euonymus (*Euonymus fortunei*) - Also known as wintercreeper. Recommended as a groundcover and described as a vigorous climber.
- English Ivy (*Hedera helix*) - If not properly pruned and maintained, could readily escape into natural areas abutting landscaped property.
- Fiveleaf akebia (*Akebia quinata*) - A semi-evergreen climber.
- Kudzu (*Pueraria lobata*) - This plant is **strictly prohibited** and needs no further comment.
- Mile-a-minute (*Fallopia aubertii*) - Described as a vigorous, woody, twining, climber.
- Oriental bittersweet (*Celastrus orbiculatus*) - Invades open woods, thickets, and roadsides overtopping native species. Has escaped from cultivation in 21 states from Maine to Georgia. Not quite as vigorous as kudzu, but with time, has the same ultimate impact on a natural area.
- Porcelainberry (*Ampelopsis brevipedunculata*) - Overtakes open, sunny, disturbed habitats.

SHRUBS

- Bush honeysuckles (*Lonicera* species) - Since some species are invasive, the use of cultivars & honeysuckles for landscaping is not recommended.
- Common buckthorn (*Rhamnus cathartica*) - Described as having become a weed in some areas.
- Japanese spiraea (*Spiraea japonica*) - Readily infests stream banks and roadsides spreading into forests, thickets and overgrown fields from New England to Indiana and south to Tennessee and Georgia.
- Russian olive (*Elaeagnus angustifolia*) - Not recommended due to its tendency to spread.

TREES

- Princess tree (*Paulownia tomentosa*) - Although described as “naturalized” in the eastern U.S., they are not present recommended on the mountain.
- Silk tree, Mimosa (*Albizia julibrissin*) - The numerous seedlings from this tree are a nuisance in a cultivated environment.
- Tree-of-heaven (*Ailanthus altissima*) - In addition to a tendency to be invasive, the male flowers are unpleasantly scented and the pollen may cause an allergic reaction.
- White Pine – Mature pines are prone to breakage during high winds.
- White Poplar (*Populus alba*) - Trees tend to be fast growing, short-lived, and weak with vigorous root systems that may damage drains, septic fields, and foundations. Produces fluffy white seeds (“cotton”).

Section 3.8 Vegetable Gardens and Fruit Trees. Raised vegetable beds will be allowed, but will require SARC approval. Cultivating of ground for gardens and fruit trees is prohibited.

ARTICLE 4 - Architectural Review Procedures

Section 4.1 Architectural Review. The process for establishing the SARC and defining the specific duties and powers conferred on it is set forth in the Declaration. That process is hereby incorporated as part of those Design Guidelines and shall be referred to when appropriate. All construction or installation of improvements that are to be undertaken in Skytop Farm, whether new residential construction, subsequent exterior changes, modifications or renovations or site construction, such as walks, driveways, drainage improvements, and landscaping is subject to prior review by the SARC under the conditions of these Design Guidelines and the accompanying Declarations. After final plan approval by the SARC through this process, the owner may apply to the appropriate governmental authority (s) for the appropriate permits and approvals. Owner must apply for preliminary approval first. (See Appendix C). All fees are listed in Appendix A.

Section 4.2 SARC Approval. To request SARC review and approval for any item related to these Design Guidelines or for any item not identified or defined in these guidelines, the owner must prepare a complete, written Appendix D and submit such application, along with two identical sets of plans and specifications, known as Construction Documents (“C.D.’s”) to the SARC manager. In the absence of the manager, the owner may submit such CD’s to the SARC chairperson. In the case of a request for variance, the C.D.’S must show the nature, kind, shape, color, size, materials, and location of the work to be performed. The application must clearly identify any requirements of the Declaration or these Design Guidelines for which a variance is sought. The SARC will return one set of C.D.’s to the applicant or his/her representative marked with the SARC’s response, such as “Approved”, “Denied”, or “More Information Required” and will retain the other set of C.D.’s, together with the application, for the SARC’s files. Verbal approval by the manager, an officer or member of the SARC by the Homeowners Association or the Association’s manager does not constitute SARC approval. Approvals for any items noted and identified in these Design Guidelines or so referred to in the Declarations must be issued in writing and only by the SARC.

Section 4.3 Deemed Approval If the SARC fails to respond in writing — negatively, affirmatively, or by requesting information — within 30 days after the SARC’s actual receipt of the owner’s application, the owner may submit a second request for processing of its original application. If the board fails to respond within 45 days after the Board’s actual receipt of the owner’s second request, the owner’s application is deemed approved. The owner may then proceed with the improvements, provided the owner adheres to the plans and specifications which accompanied the first and second application, and provided the owner initiates and completes the improvements in a timely manner. In exercising deemed approval, the burden is on the owner to document the board’s actual receipt of the owner’s initial application and second request.

Signed this _____ day of _____, 20_____

Skytop Farm Homeowners Association, Inc. By: _____

Appendix A

Schedule of Fees for Skytop Architectural Review Committee

1. Preliminary Review Fee	\$250.00
2. Final Review	
a. Final Review Fee	\$350.00
b. Compliance Deposit (less fee for mailbox)	\$3,500.00
c. Road Impact Fee (\$1,000 refundable)	\$4,000.00
3. Major Design Change for Review	\$200.00

Note: An architect may be obtained for any compliance issues.

Definitions:

1. Preliminary Review Fee: This fee is for the initial or first review (See Appendix C). The drawings submitted should be preliminary, not final.
2. Final Review:
 - a. Final Review Fee: This fee is for the final review (See Appendix D). The drawings and specifications should be final as expressed in Appendix D.
 - b. Compliance Deposit: This is a refundable deposit that will be returned to the Owner if the project stays within compliance with the approved design and development guidelines.
 - c. Road Impact Fee: This fee covers the damage and repair that Skytop Farm must pay for the development roads during the construction process.
3. Major Design Change for Review: This fee is for reviewing any substantial change to new or existing construction.

Appendix B

Schedule of Fees for SARC Site Inspections

- | | |
|--|--------------------|
| 1. Initial inspection during final review | \$ 0.00 |
| 2. Construction Inspections due to deviation plans | \$250.00 per visit |
| 3. Penalties for Non-compliance | \$ 50.00 per day |

A penalty will be assessed to the Owner for a project that is in non-compliance with an approved project. A letter of warning will be issued and the owner/builder will have ten (10) working days to show compliance. If compliance is not met, a fee of \$50.00 per day will be assessed until compliance is met.

Appendix C

SARC Application for Preliminary Review

Information and Requirements for Skytop Farm

The following documents and information are submitted for SARC approval for construction of improvements described herein. If all information is not available at time of initial application, Owner will update this application until all information is provided to the SARC.

1. Lot # _____

2. Owner (Name, Address and Phone):

3. Architect (Name, Address and Phone):

4. Contractor (Name, Address and Phone):

North Carolina License Number: _____ Class _____

5. Submittals:

On file	Document	Date Received
	Site Analysis (1" = 30')	
	Septic Permit (NTS)	
	Site Plan (1" = 30')	
	Floor Plans (1/4"=1'0")	
	Exterior Elevations (1/4"=1'0")	
	Building Site Section (1/4"=1'0")	
	Other:	

6. Fees: SARC Review: \$250.00 Paid: _____

For SARC Use Interim Actions and Approvals

Lot # _____ Owner: _____

Date	Comments / Actions	By (initial)
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

FINAL APPROVAL

SKYTOP FARM SARC APPROVAL

BY: _____ DATE: _____

Appendix D

SARC Application for Final Review

Information and Requirements for Skytop Farm

The following documents and information are submitted for SARC approval for construction of improvements described herein. If all information is not available at time of initial application. Owner will update this application until all information is provided to the SARC.

1. Lot # _____

2. Owner (Name, Address and Phone):

3. Architect (Name, Address and Phone):

4. Contractor (Name, Address and Phone):

North Carolina License Number: _____ Class _____

5. Submittals

On file	Document	Date Received
	Final Stake-Out	
	Color Samples	
	Landscape Plan (1" = 30')	
	Site Plan (1" = 30')	
	Foundation & Framing Plans (1/4"=1'0")	
	Floor Plans (1/4"=1'0")	
	Exterior Elevations (1/4"=1'0")	
	Building Sections (1/4"=1'0")	

	Details	
	1. Typical wall	
	2. Exterior trim	
	3. Window and door details	
	4. Exterior wall, fences or screens	
	5. Railings and seating	
	6. Screen porch section	
	Specifications	
	Other	

6. Fees:

SARC Review: \$250.00 Paid: _____
Road Impact: \$4,000.00 Paid: _____
(\$1,000 refundable upon completion pending compliance w/ SARC)
Compliance Deposits: \$3,500.00 Paid: _____
(Refundable upon completion pending compliance w/ SARC)

Major Design Change: \$200.00 Paid: _____
Minor Design Change: \$100.00 Paid: _____
Other: _____ Paid: _____
_____ Paid: _____
_____ Paid: _____

7. Evidence of Compliance

Date Received

- a) General Liability _____
- b) Worker's Compensation _____
- c) Builders Risk _____
- d) Building Permit _____
- e) Septic System Permit _____

8. Site Protection Requirements Prior to Clearing

- a) Review site with SARC for tree removal and protection
- b) Review site with SARC for driveway location
- c) Review site SARC for utility locations, protection and connections
- d) Review site with SARC for erosion control

Date reviews completed a) _____
b) _____
c) _____
d) _____