DEERLAKE VILLAGE COMMUNITY ASSOCIATION

RULES & REGULATIONS - PART 10

PROCEDURES FOR EXTERIOR MODIFICATIONS TO EXISTING HOMES

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I. INTRODUCTION

A. Responsibility for exterior modifications is divided between two committees: the Architectural Review Committee (ARC) and the Landscape Review Committee (LRC). Modifications to the building itself are the responsibility of the ARC.

B. The purpose of these standards is to assist Deerlake Village property owners in maintaining quality and ambiance of the Deerlake Community homes and to preserve the natural environmental beauty and healthy living that exists here.

C. Permission is typically not required for any changes to the interior of the home.

D. The recorded Covenants and Rules and Regulations shall control the decisions of the ARC. The decisions of the Committee are not bound or restricted by any precedent relating to existing residential construction of any other lot within DVCA.

E. No implied warranties of good workmanship, design, habitability, quality, fitness for purpose of merchantability shall arise as a result of any plans, specifications, standards, or approvals made or published by the ARC or their successors.

F. It is impossible to devise standards for every conceivable change, and this document is to serve as a reference for those considering any exterior change.

G. Homeowners must seek input and receive written approval from ARC **PRIOR TO** undertaking any project involving changes to the exterior of the home and may be required to provide plans to the ARC as part of the approval process.

H. Failure to obtain permission for a change could result in fines and costs to change the property back to its previous condition.

I. Modifications made to properties prior to these standards may be acceptable but are not to be taken as precedents.

J. Fines may be levied by the DVCA Board of Directors, and the amount of the fines may vary, depending on individual circumstances. See Violations and Fining Policy for details.

II. PROCEDURES

A. Procedure for requesting a modification to an existing home is as follows:
   1. Submit appropriate drawings, plans, sketches, photos, or specifications to allow the ARC to understand and evaluate the requested modifications. Submit these plans and specifications along with a Request-to-Modify form to the ARC for approval prior to starting the work.
   2. If you are extending the footprint of the house, your plan needs to show your property lines.
   3. The nature of the required information will depend on the specific modification. Include erosion control descriptions where disturbance of the soil could result in erosion and sediment runoff from the lot. The ARC reserves the right, and may seek outside professional opinions when questions beyond the realm of their expertise are encountered.
   4. In approving a project the following will be considered: the design, and how the project harmonizes with the exterior of the existing structure(s), landscape and environment.
   5. Where the Covenants and Rules/Regulations mandate attention to the impact on neighboring lots, or the visibility of the installation or modification from other lots or from the street, include information demonstrating that the request meets these requirements.
   6. If necessary, the ARC will visit the site at a mutually agreed to time to discuss the request.

B. The request should be made on the "Deerlake Village Request to Modify form (Addendum A), available from the ARC, LRC, or www.deerlakevillage.org (click on Architectural Standards). It should be submitted with attachments to the ARC, c/o DVCA Board of Directors, PO Box 2186, Brevard, NC, or left in the red folder in armoire inside the front door of the Clubhouse or delivered to any ARC member.

III. PROJECTS REQUIRING ARC APPROVAL:

A. Modifications to existing homes or accessory buildings. No temporary structures are allowed.
B. Construction or modifications of decks, porch screening or enclosures.
C. Construction of hot tubs and spas. (Must not be visible to others any time of the year.)
D. Modifications including room additions, garage enlargement, deck additions, 3season room additions, changing color of house and or trim, adding trim or shutters.
E. Construction of outbuildings including sheds and gazebos. These are applicable to only the portion of Lots 1-22 (Revised) of the Meadows at Deerlake Village shown on Plat File 9, Slides 916 and 917 which lays outside the original boundaries of Lots 1-22 as shown on Plat File 6, Slide 280; Plat File 7, Slide 862; and Plat File 8, Slides 100 and 580. (See Addendum B & C)

IV. DOCUMENTATION REQUIREMENTS FOR MODIFICATIONS

A. Property owners and, if appropriate, contractors may want to meet with the committee prior to finalizing plans to avoid problems later.
B. Property owners must submit a "Deerlake Village “Request to Modify” form (Appendix A).

C. All submissions for consideration must be in writing, dated and signed, by the requesting owner. The request must identify the address affected by the request and must include appropriate documentation and/or information as specified:
   1. a full set of plans including a site plan (with streams located, as appropriate);
   2. location of easements, erosion-control devices, drainage flow , and exterior lights; (where appropriate);
   3. to scale drawings if the footprint or elevation of the existing structure will be altered;
   4. description of any resulting noise or visual factors which may be seen or heard from the street or by neighbors;
   5. details of any environmental effect of the proposed modification

D. Property owners must receive a building approval permit from the City and County and a variance approval permit if needed from the ARC prior to the commencement of construction or modification. Upon receipt, a copy of the building permit should be provided to the ARC.

V. STANDARDS FOR MODIFICATIONS Painting/Re-roofing:

A. Permission is **not** needed to repaint or re-roof a structure, or any part thereof, **if** the color and construction material is in accordance with the originally approved color scheme and materials for that particular house.

B. Approval is required if changes are proposed. Colors blending with the surroundings are required, and colors of extreme contrast with the environment or other preexisting colors will not be approved. The DVCA has established white as an exterior trim for the houses in the Meadows. This will continue to be the standard there as it is in keeping with the overall plan for the Meadows.

C. Changes to shutter and door colors must be approved by the ARC. If storm doors are to be installed in the Meadows homes, the trim on the storm door must be white.

Energy Conservation Equipment:

A. Free-standing solar panels, free-standing windmills, geothermal infrastructure and other external renewable energy systems are not allowed unless they are an integral and harmonious part of the architectural design of the home.

B. These standards are not intended to cover every possible situation for the installation of energy conserving equipment.

C. If your project is an integral and harmonious part of your design, then seek approval from the ARC.

Additions:

A. Additions and/or alterations to existing structures must be in harmony with the scale, color scheme and architectural style of the surrounding neighborhood.

B. All submitted request forms for additions and/or alterations must be reviewed and approved by the Architectural Review Committee (ARC).This includes such things as (but not limited to) room additions, garage enlargement, deck additions, 3-season room additions, changing color of house and or trim, adding trim or shutters, etc., as well as the modifications listed below.

C. The impact of a proposed extension or exterior modification upon neighboring properties will be a consideration in granting approval.

D. Re-painting or re-roofing does not require approval from the ARC if the color and materials are the same as the original.

E. In addition, ARC must be consulted and give approval for the following:

1. AIR CONDITIONERS- Window air conditioning units may not be installed in any residential unit without prior approval.
2. AWNINGS, PATIO ROOFS, OVERHANGS- Extensions such as awnings, patio roofs and overhangs are not generally acceptable if visible to others. Exceptions must be approved.
3. DECK OR PORCH SCREENING OR ENCLOSING- Screening or enclosing of decks or porches must be approved. Screening should be of dark color and must be rustproof. Enclosures of clear plastic sheeting are not permitted if visible from the street.
4. POOLS, HOT TUBS, AND SPAS- No above-ground pool may be installed on any lot. Installation of an exterior hot tub or spa must be approved by the ARC and it may not be located where it is visible to others at any time of the year.
5. Underground gasoline storage tanks are not permitted in Deerlake Village. Underground LP tanks and above ground LP tanks and storage tanks may be permitted by ARC & LRC if integral to the design of the home and not visible from the street or common areas.

VI. COMMITTEE OPERATIONS

A. Meetings: The ARC will meet with homeowners and, if appropriate, their contractors as required to monitor all modifications for compliance with approved plans and applicable restrictions.

B. Operations: In reaching decisions, the ARC will review and consider all information submitted and will visit the sites when necessary. This document sets forth the standards and guidelines which the ARC will use in making decisions. Decisions will be made by the majority of the ARC and communicated in writing to the requesting owner. A formal permit will be issued for approved modification projects and it should be displayed and visible from the street until completion of the project.

C. Variances: The Committee may request of the Board reasonable variances from the provisions of this document, when literal application would result in unnecessary hardship, and if the granting of such variances would not materially harm other owners or the environment per DVCA Covenants, Article II Use Restrictions-Section 28 Variances.

D. Design change: All design changes must be approved in writing and signed by both the home owner and committee.

E. Violations: The ARC will notify the contractor and/or owner in writing of any violation of these Rules and Regulations or of any applicable provisions of the Declarations. Failure to take corrective action within fifteen (15) days of the date of said notice, or to notify the ARC in writing of intent to take corrective action, subjects the violator to sanctions.

F. Appeals of Committee Decisions: Owners not satisfied with ARC decisions may appeal the case in writing to the DVCA Board of Directors within thirty (30) days of such decision. In case of contradiction, the Covenants shall take precedence over these standards.

G. Sanctions: The sanctions that may be imposed by the Committee include issuance of stop work orders and requiring correction of deficiencies. The DVCA Board may impose fines for violations. The owner is ultimately responsible for adherence to all covenants and restrictions.

Addendum A:
Deerlake Village Community Association
Request to Modify - Landscaping / Exterior of Home / Other

Owner: _____ Telephone: _____ Date: _____

Address: _____ Email: _____ Lot #: _____

Landscape Review Committee (LRC)
(i.e. not touching the home)

Projects requiring LRC Approval: Check all that apply

- ☐ Modify landscaping of existing home
- ☐ Remove trees/shrubs along common sidewalk
- ☐ Disturb >1/4 acre (Erosion Control Plan required)
- ☐ Install a culvert
- ☐ Install / remove a fence (only on Meadows lots)
- ☐ Install pet enclosure (only on Mountain lots)
- ☐ Change grade affecting drainage
- ☐ Change materials or re-configure driveway
- ☐ Install free-standing flag pole
- ☐ Expand/Construct Patio
- ☐ Add/modify exterior lighting
- ☐ Tree Pruning
- ☐ Tree Removal - Check box in front of reason(s):
  - □Diseased / damaged / dying tree
  - □Dead tree □Too close to house
  - □Other_____
- ☐ Install landscape structure - Check box for type:
  - □Stone wall □Retaining wall □ Arbor □Trellis
  - □Railing □Steps □Walkway □Gazebo
  - □Other_____
- ☐ Other: _____

Architectural Review Committee (ARC)
(i.e. exterior of home)

Projects requiring ARC Approval: Check all that apply

- ☐ Add/modify exterior lighting attached to home
- ☐ New construction *
- ☐ Modify existing dwelling or accessory building*
- ☐ Construct/modify deck*
- ☐ Install Hot Tub or Spa*
- ☐ Screen or enclose porch/deck*
- ☐ Add a room *
- ☐ Add/Enlarge garage*
- ☐ Change exterior color*
- ☐ Add trim
- ☐ Add shutters
- ☐ Erosion Control Plan (Required)
- ☐ Other: _____

*Attach drawings, photos, documentation. Include measurements from property lines. For any exterior painting projects, supply color samples.
Erosion Control Plan is required for projects disturbing more than 1/4 acre (10,890 sq ft)
Owner is responsible for obtaining all required City and/or County permits and inspections.

- Please note: Any landscape modification project must be completed within one year of the LRC approval date. If additional time is needed, the owner may reapply for a new permit.
- Attach appropriate sketches, photos, andor descriptions including Erosion Control Plans, where applicable.
- The *Request to Modify* must meet all requirements set forth in DVCA Covenants and Rules / Regulations as currently written. The Committee may visit your lot or meet with you to understand your request. The Committee may also visit your lot to check on progress and conformance to Rules / Regulations.
- NOTICE: Post-approval changes must be re-submitted for approval. Owner is subject to fines if deviations from approved plans are not corrected, or for work done without approval.

Dates: Estimated Start: _____ Estimated Completion: _____

☐ I know where my property lines are and am certain this project is within those boundaries.

Signature of Owner: _____ Date: _____

Dates: Received by Committee: _____ Reviewed by Committee: _____ Visited: _____

Returned to Owner for re-design: _____ Re-design received by Committee: _____

Request Approved: _____ Request Denied: _____ Owner Notified: _____

Signature of ARC or LRC designee: _____ Date: _____

Please submit this form to the LRC or ARC chairperson or place it in the red folder in the armoire inside the Clubhouse front door

Revised 9/13/18 Architectural Review Committee Landscape Review Committee

Addendum B:

Guidelines and Restrictions for the Construction of Outbuildings on Lots 1-22* of the Meadows

Note: **Applicable only the portion of Lots 1-22 (Revised) of the Meadows at Deerlake Village shown on Plat File 9, Slides 916 and 917 which lays outside the original boundaries of Lots 1-22 as shown on Plat File 6, Slide 280; Plat File 7, Slide 862; and Plat File 8, Slides 100 and 580.**

I. **Purpose**. The purpose of this addendum is to provide guidance and restrictions for the construction of outbuildings on Lots 1-22* of the Meadows. Outbuildings are defined as garden sheds, gazebos, or similar structures. No lot may contain more than one outbuilding. **NOTE**: *On all other Lots within the Deerlake Village Community, outbuildings are strictly prohibited.*

II. **Overall Restrictions**. Applicants must:
- A. Submit an application to the LRC and ARC for the construction of an outbuilding B. Obtain any required city/county permits or variances
- C. Locate the outbuilding on the Lot so as to conform to the City of Brevard set-back requirements.

III. Restrictions Regarding the Construction of **Garden Sheds** or similar structures on Lots 1-22* of the Meadows. Any proposed garden shed or similar structure must conform to the following requirements:
- A. Site built with exterior surfaces of materials identical in type and color of the main structure (house), including the same design detail (roof slope, soffit, and trim)
- B. Poured reinforced concrete foundation
- C. Gabled roof with singles matching main structure (house)
- D. No more than 80 square feet
- E. Height of side walls no greater than 6 feet 2 inches.
- F. Landscaped with evergreen plantings, at least 4 feet high initially and spaced to create a hedge-like appearance on all sides of shed visible from street or neighboring Lots.
- G. Landscaping completed within 4 months of start of construction.
- H. Include no exterior lighting
- I. Any electrical lines for interior lighting buried underground
- J. Structure completely enclosed without open sides (other than doors and windows)

IV. Restrictions Regarding the Construction of Gazebos on Lots 1-22* of the Meadows. Any proposed gazebo must conform to the following requirements:
- A. Colored white or the color of main structure
- B. Roofing material must match the roofing material of the main structure
- C. Open on all sides or covered with lattice; screening and plastic covering are strictly prohibited.
- D. No more than 12 feet wide at any cross-section of the gazebo.
- E. No lighting

V. **Procedures**. All such construction projects must have the approval of the ARC and LRC using the application form shown in Addendum C. All aspects of the project shall be specified on the form and accompanied by a drawing(s) of the project indicating placement on the Lot. Committee approval must be received by owner before site preparation or construction begins.

VI. **City/County Permits**. If city/county permit(s) are required, a copy of the permit must be submitted to the ARC & LRC prior to the Committees' final approval.

Addendum C:

DEERLAKE VILLAGE

Request to construct an out-building on Lots 1-22* of the Meadows

*Note: Applicable only the portion of Lots 1-22 (Revised) of the Meadows at Deerlake Village shown on Plat File 9, Slides 916 and 917 which lays outside the original boundaries of Lots 1-22 as shown on Plat File 6, Slide 280; Plat File 7, Slide 862; and Plat File 8, Slides 100 and 580.

Date: _____/___/_____ **Owner:**
Name _____ Telephone #_____
Address _____ Lot # _____

Construction:
____ Build a gazebo ____ Build a garden shed
Describe the project, giving dimensions, heights, materials, and colors:

Landscaping: Describe the landscaping plan for the new structure and submit a drawing showing placement of structure and plantings.

Guidance: -
-Owner is responsible for discussing plan with neighbors to whom the work is visible. Attach input/commentary.
-Owner is responsible for obtaining all city/county permits and inspections.
-Owner must receive approval before beginning site preparation or construction.
-Post-approval changes must be resubmitted and follow same process.
-Owner will be subject to fines if deviations from approved plans are not corrected.

Signature of Owner: _____
_____

Committee Actions

- Application received on: _____
- Application reviewed by ARC / LRC: _____
- ARC / LRC site visit: _____
- Returned to owner for redesign: _____
- Redesign received by ARC / LRC: _____
- County permits received: _____
- Request approved by ARC / LRC: _____
- Request denied by ARC / LRC: _____
- Owner notified of denial: _____