



Homeowners Association – Guidelines for Property Use and Improvements

Our community is in a period between the initial and full build-out of properties. The Protective Covenants, Conditions and Restrictions and the Amendments to the same govern the use and improvement of one's property. Copies of these documents are on file with the Wilkes County Register of Deeds or can be obtained by contacting the HOA Board. They should be consulted regarding the use of one's property or prior to beginning any modifications or improvements. This document provides general guidelines for property use and improvements based on common experiences of the HOA Board.

Owner Access to Property for Visitation There is no requirement for the HOA Board to be notified when owners of undeveloped property wish to visit the community and their property. However, many of the original property markers either are no longer visible or have been removed, which may present challenges for those who are new or are unfamiliar with the community. With sufficient advanced notice, the HOA Board can assist with the location of property. The security of our community remains a priority of the HOA Board. The Board asks that property owners use their best discretion when providing others with the access code to the main entrance. The individual property owner assumes responsibility for anyone to whom they have provided the access code. Property owners who are marketing their property either privately or through an agent are expected to have prospective buyers escorted through the community. Simply providing a prospective buyer with the access code is not acceptable.

Backcountry-Like Use The HOA Board encourages owners of undeveloped property to make use of their property and the community common areas to the fullest extent possible. Certain activities are permitted and others are prohibited. The following is a list of activities that are commonly asked:

- Any form of hunting is strictly prohibited.
- The discharge of firearms (i.e., target shooting) is prohibited.

VERSION 1.0 – AUGUST 31, 2020

- Use of any form of motorized vehicle (ATVs, motorbikes, etc.) is only permitted on designated roadways. Use of these vehicles on community trails is prohibited.
- Camping (tent, RV, etc.) is permitted provided that no camping equipment is left for more than seven out of any thirty-day period. Permanent dwelling in camping equipment is forbidden. Property owners are permitted to create an entrance (even potentially adding gravel) to facilitate entry to a section of their property. Depending on the lay of the land, the entry could impact the road drainage and eventually, add road maintenance cost. The "best practice" is to notify the HOA Board if the lot owner wants to construct such an entry. This helps both the owner and the community. It is also an alert to CMF security that the property is likely to be visited and used with some regularity by the owner. The above conditions, in this limited context, does not constitute a change in the status of the HOA Dues. The lot with this minimal work is still billed as "undeveloped". Likewise, the HOA Board appreciates being contacted in advance if the above usage is enhanced by additional work requiring heavy equipment and the felling and removal of trees for building trails, permanent

camping areas (e.g. fire pit) or open areas that might be used for games or other recreation. Obviously, the question is how much area will be cleared as to whether this constitutes a permanent improvement and whether the work requires considerable equipment and time. Lot Preparation for Eventual Home Construction Some property owners have taken a phased approach to eventually construct a home. The layout of the land, the condition of the soil, the coverage of the property by trees, bushes, wildflowers, rocks, and other natural features create significant variances in the cost of preparing the property for building construction. This can require access from the roadway, clearing and building a driveway, soil tests, clearing and staking an area for home construction. These are major costs and require heavy equipment. The HOA appreciates notification before this work begins for consultation with the roadway maintenance requirements and security. The focus will be what material will be removed (lumber) or added (gravel, rocks) how and when. If the property owner also intends to fund and complete the drilling and start-up of a well for water and even potentially implementing components of the infrastructure for the septic system, the HOA should be notified. This work when completed, does constitute a permanent improvement and therefore, the HOA annual maintenance fees will be reclassified at the rate of developed property; an increase from \$700 yearly to \$1,200.

Architecture Review Process Overview

When the property owner has engaged an architect, builder, contractor, engineer to design and manage the work performed immediately above, it has been the practice that they have also most likely designed the home and has the details for the entire project to share with the HOA for the formal architecture review. Landscaping plans are appreciated but not required.

Every effort will be made to expedite the architecture review process in order to meet the timing of the construction. If too much time has passed between the initial submission and approval and the start of construction (36 months or more), there should be a follow-up review by the HOA to confirm the approval.

Article VI of the covenants lays out the criteria for the building construction activities that require an Architecture review. The intent of the Architecture review is to benefit the community, the lot owner and the builder/contractor performing the work. The Architecture Review Content submitted will be reviewed by the CMF HOA VP, and the analysis shared with the HOA President. If no exceptions from the covenants are involved, the VP will notify the owner of approval. It is beneficial, but not required to engage the VP throughout the build process. However, the owner should expect the VP to demonstrate and interest and periodically visit the site during the construction period.

When the Architecture Review process includes a request for an exception from the standard, the VP analysis and recommendation will be coordinated with the President for a review by the five member HOA Board for conditional approval.

What information is required to complete the requirements?

- Lot identification and the position on the lot where the construction will be cited.
- Facility Intent: e.g. Homesite, Barn, Garage, Workshop,
- Facility Dimensions – all levels including porch, deck, etc.
- Facility Construction Material and specifications (e.g. Roofing color and materials)
- Builder/contractor designs and connection (phone, email) information

- Estimated construction Period.
- Commitment for water and sanitation standards
- Commitment to remove construction waste and removal/placement of any timber or brush removed for the construction.
- Photos of the site and/or engineering drawings are very helpful, but not mandatory.
- Links to Product provider websites with additional information is helpful, but not required.

Building Materials for Homes and Other Structures on the CMF Individual Properties

From the earliest sales of property on Chestnut Mountain Farms which follows under the Governance of the Home Owners Association, the vision communicated through the HOA approves covenants was to maintain a building style that is consistent with the rural, Appalachian mountain appearance. The covenants governing construction provides for design flexibility as long as the materials used are either wood or stone for a home's exterior. The construction thus far of homes has been either a log cabin or "farmhouse" look, with great variety on square footage beyond 1,500 square feet using wood or stone materials for 95% or more of the exterior. Homes which have a lower level basement base, may in some instances has portions of the concrete foundation exposed, but all other exterior levels being wood or stone.

It is recognized that over time, building materials may change due to product innovation and supply constraints. The architecture review and Board approval process involving the construction design and materials will consider exceptions which will, for appearance construction safety, still maintain the more rustic, setting in the wilderness area which is the attraction of Chestnut Mountain Farms.

For anyone questioning the standards prior to purchasing property or parcel/lot owners submitting a design to the CMF HOA Board for approval, at this point in time, the following materials submitted through the exception process will not be approved.

- *Vinyl, Fiberglass, concrete board or metal based siding as the external facing core coverage*
- *Exposed Cinder block or concrete for anything other than a basement/lower level floor walls*
- *Stucco*
- *Brick*

Barndominiums

With the popularity of the newest trend in home construction, referred to as Barndominiums the HOA architecture approval process is being modified. Beginning in 2024 the CMF HOA will evaluate submissions for Barndominiums as "pilots" for testing the construction process and material components. The intent is that we will learn from the pilot(s) the range of construction process and materials changes which would be supportable in a formal upgrade to the standards.

The following specifications are required for approval *if an alternative of this nature is prepared and submitted.*

- *All street exposed external walls must maintain an 80% Wood, Glass, Stone facade.*
- *All non-street exposed external walls must maintain a 50% Wood, Glass, Stone facade.*

- *The color of materials must be consistent with the rural, Appalachian Mountain appearance.*
- *Exceptions may be made based on the complexion of materials that resemble wood or stone.*

Examples of acceptable Bardominiums:



Examples of unacceptable Barndominiums:



The review process will evaluate each plan submission on its compliance with the above stated requirements.

Architecture Review Timing and Submission.

The HOA Board encourages lot owners, real estate agents and builders to reach out to the HOA Architecture review team early in the planning and design process. When the owner has significant content to share (but not yet the entire listed requirements above) this early communication prior to full approval can be helpful to all parties involved.

Multiple lot owners have reached out to the HOA to receive guidance on the covenants and/or suggestions on the access to their lot. That includes both preparation of the site including the driveway entrance and clearance of the homesite building area and simple entrance off the established roadway.

The HOA Board has provided a document for these preliminary steps in lot preparation for personal usage. We really want to encourage your enjoyment of your property whether it is for a picnic-like visit, more or a “back country” camping usage or even weekends with a trailer.

Please reach out to Perry or me when you have questions or seek guidance. Bruce Anderson – 704-650-5115. bruceflora@aol.com. Or Perry Swaim pswaim@gmail.com

