

Firefly Property Owners Association, Inc.

Board Meeting

March 4, 2014

Location:

- Firefly Cove Lake Lure, North Carolina – The home of Vice-President Joe Pritchett

Roll Call/Call to Order:

- The meeting was called to order by President Bob Cameron at 9:04 am.
- Directors present: President Bob Cameron, Vice President Joe Pritchett, Treasurer Bob Cobbett, Secretary Mike Kirkman and Director Jonathan Hinkle
- Directors Absent: None
- Property Owners present: None
- Others present: None

Quorum:

There being a sufficient number of Board members present a quorum was established.

Approval of Minutes:

- The minutes from the Firefly Cove Board meeting of December 27, 2013 were approved without changes by motion, second, and a unanimous vote 5-0.

Discussion Items:

- Director Hinkle started a discussion on the proposed new ARC Architectural Design Standards. (See Attachment "A"). Director Hinkle presented the final draft of the new ARC Architectural Design Standards to the Board. Vice President Pritchett recommended that Secretary Kirkman inform the property owners that the proposed ARC Architectural Design Standards will be posted on the Association's website and give the property owners at least 30 days to review the document and provide comments to the Board. Director Hinkle recommended that the Board approve the proposed new ARC Architectural Design Standards at the next Board meeting.

- Secretary Kirkman started a discussion on changing the Registered Agent for the POA. Currently the registered agent for the POA and the COA is Property Owner Beth Voltz. Secretary Kirkman recommends that the POA change its registered agent from Property Owner Beth Voltz to the Board's attorney Robert E. Dungan. The recommendation was approved by motion, second, and a vote 5-0. Secretary Kirkman informed the Board that the COA Board has already approved changing the registered agent for the COA to Robert E. Dungan. Secretary Kirkman will prepare the documents to change the registered agent and deliver the documents to Robert E. Dungan.

- Vice President Pritchett started a discussion on the actions that the Board can take if a property owner is in violation of any of the Declaration of Covenants, the Bylaws of the Firefly Cove POA, or the rules and regulations of the Association. The Board's attorney advised the Board to use the procedures as prescribed in the Bylaws of the Firefly Cove POA and Chapter 47F: North Carolina Planned Community Act of the North Carolina General Statutes. Below is a summary of the actions that the Board may take.
 1. The Board determines that there has been a violation of the Declaration of Covenants, the Bylaws of the Firefly Cove POA, or the rules and regulations of the Association by a Property Owner.
 2. The Board sends the first registered letter (see Attachment "B") signed by the President to the Property Owner notifying the Property Owner that the Property Owner has 30 days to remedy the violation of the Declaration of Covenants, the Bylaws of the Firefly Cove POA, or the rules and regulations of the Association.
 3. If the Property Owner fails to comply with the Declaration of Covenants, the Bylaws of the Firefly Cove POA, or the rules and regulations of the Association within 30 days, then the Board shall send a second registered letter (see Attachment "C") to the Property Owner notifying them to appear at a hearing, where the date and time is determined by the Board, to explain why the violation has not been corrected.
 4. At the hearing, the lot owner charged shall be given notice of the charge, opportunity to be heard and to present evidence, and notice of the decision. If it is decided that a fine should be imposed, a fine not to exceed one hundred dollars (\$100.00) may be imposed for the violation and without further hearing, for each day more than five days after the decision that the violation occurs. Such fines shall be assessments secured by liens under G.S. 47F-3-116.
 5. The Board will send a third registered letter (see Attachment "D") to the property owner as a notice of the decision of the Board to impose a fine and lien on the property owner's property for failure to comply with the Declaration of Covenants, the Bylaws of the Firefly Cove POA, or the rules and regulations of the Association.

Director Hinkle stated that there is currently one property owner that is in violation of Article 5 Section 7 of the Firefly Cove Declaration of Covenants. Director Hinkle and President Cameron will inspect the property and compile a report listing the specific actions that the property owner needs to perform in order to correct the violation. The Board will review this report and decide on how to proceed.

- Vice President Pritchett started a discussion on the Association's operating and reserve accounts at TB Bank. Treasurer Cobbett stated that he has set up online access to the operating and reserve accounts. He stated he would be happy to share this information with any Board member that wishes to view either account online. Vice President inquired if the Board wants to use this online access to deposit checks instead of traveling to Hendersonville to make a deposit. After a brief discussion it was decided that deposits need to be made in person at the TD Bank in Hendersonville. Treasurer Cobbett will continue to use the online access periodically to monitor the operating and reserve accounts. A discussion was held on depositing the future \$3000 building compliance fee into the reserve account. Currently the compliance fee is deposited into the operating account. Vice President Pritchett recommended that future building compliance fees be deposited into the reserve account instead of the operating account. The recommendation was approved by motion, second, and a vote 5-0. Treasurer Cobbett said he would make the necessary changes in the accounting reports.

- President Cameron started a discussion on the security gate for The Ridges. At the 2012 Annual Property Owners meeting the membership voted to construct a security gate at The Ridges when the first house was constructed. President Cameron stated that the cost to construct a gate at The Ridges similar to the gate at The Villages would be about \$25,000 for a double gate and about \$20,000 for a single gate. Secretary Kirkman pointed out that there are 8 lots in The Ridges and there are 25 lots and the Lodge in The Village. Secretary Kirkman recommended that the Board present 3 options, consisting of style and price, to the membership to consider and decide upon at the 2014 Annual Property Owners meeting. The membership will decide which gate they want built. The recommendation was approved by motion, second, and a vote 5-0.

Updates:

- Treasurer Cobbett provided a quarterly update on the financials for the Association. Treasurer Cobbett reported that he was meeting with Property Owner Spencer Robinson to discuss filing the 2013 federal tax forms for the Association. There was a lengthy discussion on the funding of the 2014 proposed Board projects. Further discussions will continue at the next Board meeting.

- President Cameron provided an update on the trail survey and Phase 1 construction of the trails. The construction of the Phase 1 trail will begin shortly. It was reported that no permit is required for the trail construction. The trail survey will begin shortly under the direction of Property Owner Tom Smith.

- Vice President Pritchett provided an update on the rezoning of the common area. Vice President Pritchett informed the Board that the canoe rack encroaches slightly on private property and if the Board moved forward with rezoning the common area the canoe rack would have to be moved. Treasurer Cobbett stated that he would contact the property owner to discuss options. Secretary Kirkman reported that the bank inquired about Tax parcel #1643189 and #1644168. These two parcels are owned by the bank but are in the common area owned by the Association. Secretary

Kirkman's recommendation to the bank was to simply quit claim the property to the Association. There has been no response from the bank.

- Treasurer Cobbett announced that the pool will be open the week before Memorial Day and will remain open until the week after Labor Day. Dylan Dyer will be retained to maintain the pool.
- Director Hinkle reported that there were no updates to report from the ARC.
- Secretary Kirkman reported that Firefly Cove website is now under full control of the Association. He stated that the web master has turned over all the passwords and control to the Association and will no longer make any changes or updates to the website. The website was maintained by Terra Firma Real Estate Company. Terra Firma no longer represents the bank in selling the bank owned lots.

Other Comments:

- Treasurer Cobbett started a discussion on the Firefly logo located on security gate. There have been comments by property owners to improve the look at the gate. Treasurer Cobbett will explore other options and present any new options to the Board.
- Director Hinkle started a discussion on landscaping contractors for the Association. The Board is happy with the current landscaping contractor.
- Director Hinkle updated the Board on the repairs to the Lodge. The repairs to the Lodge should be completed in the next few weeks. The Board thanked Jonathan Hinkle and Bob Cameron for their hard work in restoring the Lodge to its original state in such a quick and professional manner.
- Secretary Kirkman started a discussion on weddings at Firefly Cove. He stated that Firefly Cove is not equipped to handle a large wedding (more than 30 people). With the increase usage of the pool and the Lodge by the property owners it is almost impossible to host a wedding and reception at the Lodge. The Board will discuss implementing specific regulations for weddings only at a future Board meeting.

Adjournment:

- The meeting was adjourned at 11:50 am.

Firefly Cove

ARCHITECTURAL DESIGN STANDARDS

of the

Architectural Review Committee

Revised March 4, 2014

The document on page 3 entitled

*Acknowledgment of Receipt of Architectural
Standards for Property Owners*

must be signed by the property owners indicating that they have received a copy of the ARCHITECTURAL DESIGN STANDARDS, and must be on file with the Firefly Cove Property Owners Association prior to beginning the review process.

The document on page 4 entitled

*Acknowledgment of Receipt of Architectural
Standards for Contractor/Builder*

must be signed by the contractor/builder indicating that they have received a copy of the ARCHITECTURAL DESIGN STANDARDS, and must be on file with the Firefly Cove Property Owners Association prior to commencement of construction.

Acknowledgment of Receipt of Architectural Design Standards

For Property Owner(s)

Please complete, sign and forward to:

ARC Chairman, Firefly Cove POA, PO Box 303, Lake Lure, NC 28746

I (We), _____ and _____,
(Print Name) (Print Name)

property owner(s) of Lot _____, of the Firefly Cove development, in the Town of Lake Lure, County of Rutherford, and State of North Carolina, hereby acknowledge that I (we) have received and read the Architectural Design Standards for Firefly Cove.

I (we) understand that these standards are for property located in the private, residential development of Firefly Cove.

I (we) understand that these standards are binding upon all owners who acquire lots within the Firefly Cove development, as well as upon their architects, consultants, contractors and agents.

I (we) understand that it is my (our) responsibility and the responsibility of my (our) agent(s) to observe the stipulations set forth within the Architectural Standards and ensure that they are adhered to in relation to my (our) property ownership within the Firefly Cove development.

I (we) understand Architectural Standards may be amended and the plans submitted are subject to Architectural Standards as per time of first submittal for review by the Architectural Review Committee.

Property Owner's signature

Date

Property Owner's signature

Date

Acknowledgment of Receipt of Architectural Design Standards

For the Contractor/Builder

Please complete, sign and forward to:

ARC Chairman, Firefly Cove POA, PO Box 303, Lake Lure, NC 28746

_____ have been contracted by the

(Print Name of Contractor/Builder)

property owner(s) of Lot _____ of the Firefly Cove development, in the Town of Lake Lure, County of Rutherford, and State of North Carolina, hereby acknowledge that I have received and read the Architectural Design Standards for Firefly Cove.

I understand that these standards are for property located in the private residential development of Firefly Cove.

I understand that these standards are binding upon all owners who acquire lots within the Firefly Cove development, as well as upon their architects, consultants, contractors and agents.

I understand that it is my responsibility and the responsibility of my agent(s) to observe the stipulations set forth within the Architectural Standards.

I understand Architectural Standards may be amended and the plans submitted are subject to Architectural Standards as per time of first submittal for review by the Architectural Review Committee.

Contractor/Builder's signature

Date

North Carolina License Number: _____

Class: _____

ARCHITECTURAL DESIGN STANDARDS

of the

Architectural Review Committee

These standards are intended to be a summary of the architectural, construction and use provisions for Firefly Cove single family homes and condominiums, and are subject to change.

All construction plans are subject to the most current version of these standards as of the date of initial submittal of plans for Architectural Review.

Welcome Firefly Cove Property Owners!

The Firefly Cove Architectural Design Standards are intended to serve as your framework for planning a new home. These standards may be amended as necessary by the Architectural Review Committee (ARC). The ARC is an open forum in which we encourage you to participate, when possible, as presentations are made by your architect or builder.

It is our primary goal to achieve a community that blends the beautiful natural scenery with the built improvements at Firefly Cove. Semi-public and private areas have been thoughtfully planned to create a community within a picturesque park-like setting. The Architectural Review Committee will strive to ensure the overall built quality of the neighborhood and to enhance property values, and will serve as a forum to assist property owners to successfully integrate their individual homes into the architecture of the community.

Site specific 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. We hope you, your architect, and your builder will read these standards carefully, and find them helpful in the planning, design and construction process.

We encourage your questions and comments. If we may be of any assistance whatsoever, please do not hesitate to call on us.

Welcome to the Firefly Cove Community!

Sincerely,

Firefly Cove Architectural Review Committee

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Section 1

INTENT OF STANDARDS

1.1 Design Objectives

- 1.1.1 To facilitate the construction of quality architectural appropriate to the surroundings and environmental factors indigenous to Firefly Cove (i.e., a Mountain Rustic style).
- 1.1.2 To enhance the property values of all owners within Firefly Cove.
- 1.1.3 To provide a systematic and uniform process for all exterior construction, renovation and landscaping projects requiring architectural approval.

1.2 The Architectural Review Committee (ARC)

- 1.2.1 The ARC has authority over approval of any building, utility construction, drainage improvements, exterior renovation or landscaping plan being considered for construction within Firefly Cove by a property owner. This includes, but is not be limited to, homes, garages, boat houses, walkways, walkways from the main home to the boathouse.
- 1.2.2 No site clearing, material deliveries, construction, renovation or landscaping of any kind may begin without first obtaining written approval from the ARC.
- 1.2.3 The ARC reserves the right to stop construction on any project that deviates from the approved plan or violates the Architectural Standards or any laws and regulations. All rejected work must be removed and reconstructed as per the approved plans. Fines may be assessed and must be paid before construction can continue.
- 1.2.4 The ARC may, at their discretion, grant variances to the standards, rules, and Standards on a case-by-case basis.
- 1.2.5 The ARC reserves the right to create construction and design criteria that are more restrictive than those established by local Subdivision Regulations. The criteria within this document shall apply to all construction within Firefly Cove.
- 1.2.6 The ARC's authority and composition has been granted and created under the Master Declaration of Covenants, Conditions and Restrictions for Firefly Cove, Article XI, Section 2 (a). Composition of ARC members is determined by the Firefly Cove POA Board of Directors. The committee will be comprised of one (1) Chairman from the Firefly Cove POA Board and at least three (3) members, but no more than five (5) members.
- 1.2.7 The Firefly Cove POA Board of Directors reserves the right to the final review and approval of all committee recommendations.

Section 2

OVERVIEW OF THE ARCHITECTURAL REVIEW PROCESS

Following are the typical steps in the review process – from design through construction.

Step 1: Conceptual Design and Site Review

Step 2: Preliminary Design Submittal

Step 3: Final Design Submittal

Step 4: Field Stake and Construction Approval

Step 5: Obtain Building Permit

Step 6: Construction phase

- *Site mock-up of final exterior color and material selections

- *Final Landscape Plan approval

Section 3

ARCHITECTURAL STANDARDS

Homes should be designed by a licensed architect to establish and maintain Firefly Cove as a community of unique architectural character and quality. You and your architect are strongly encouraged to participate in the “Conceptual and Site Review” meeting prior to beginning the design of your home. This meeting with the ARC will assist you in understanding any special design or site considerations or other requirements which may influence the placement of your house on the lot or the design of your home. Particular attention will be paid to house orientation, access, preservation of existing vegetation and garage configurations. The following are general standards for design of structures.

3.1 Minimum Building Setbacks

Village District

Front Yard 30’

Side Yard 7’

Rear Yard 25’

Lake District

Front Yard 30’

Side Yard 12’

Rear Yard 35’

Cove District

Front Yard 50’ *

Side Yard 12’

Rear Yard 20’

Ridge

Front Yard 40’

Side Yard 15’

Rear Yard 40’

Hillside District

Front Yard 50’ *

Side Yard 7’

Rear Yard 20’

Pinnacle District

Front Yard 40’

Side Yard 15’

Rear Yard 20’

- 3.1.1 The ARC will approve the building envelope for each lot. Exceptions may be granted on a case-by case basis for lots having minimal building area due to topographical conditions, which restricts the lot from meeting the minimum square footage required for family dwellings within Firefly Cove.
- 3.1.2 These requirements do not take precedence over requirements set by the Town of Lake Lure.
- 3.1.2 Setbacks are measured from right of way line or property line unless denoted by “*” then setback shall be measured to road centerline.

3.2 Structure Sizes

Village District

One story homes: no less than 1,200 sq. ft. of heated living space

Two story homes: no less than 1,500 sq. ft. of heated living space

Lake District

One story homes: no less than 2,400 sq. ft. of heated living space

Two story homes: no less than 3,000 sq. ft. of heated living space

Cove District

One story homes: no less than 1,500 sq. ft. of heated living space

Two story homes: no less than 2,000 sq. ft. of heated living space

Pinnacle District

One story homes: no less than 2,000 sq. ft. of heated living space

Two story homes: no less than 2,400 sq. ft. of heated living space

Hillside District

One story homes: no less than 1,500 sq. ft. of heated living space

Two story homes: no less than 2,200 sq. ft. of heated living space

The Ridge

One story homes: no less than 1,200 sq. ft. of heated living space

Two story homes: no less than 1,500 sq. ft. of heated living space

3.2.1 No credit is given for garages, basements, decks or covered porches.

3.2.2 Variances will be considered based on site constraints.

3.2.3 Building heights are to be determined in accordance with Town of Lake Lure Zoning Regulations.

3.2.4 The ARC may, by unanimous consent, at its sole discretion and judgment, include in its computation of heated living space, up to 100% of the square footage of that portion of a basement that is finished. The ARC will consider the following factors in this regard:

- i. That the finished ceiling height is not less than eight (8) feet;
- ii. That the exterior grade of the dwelling is such that the finished area is located substantially above ground level;
- iii. That the exterior finish of said basement area is in substantial conformity with the exterior finish of the remainder of the dwelling;
- iv. That the interior basement finish is substantially similar in quality and appearance to the interior finish of the remainder of the dwelling; and
- v. That basement windows, in such finished area, are similar in size, number and location to windows located in the remaining portions of the dwelling.

3.3 Exterior Walls

Materials:

- 3.3.1 Structure Walls: wood clapboard (sealed with paint or stain), board and batten, cedar shingles, "hardiplank", stucco or stone (may be natural or cultured). The use of brick may be permitted based on architectural appropriateness.
- 3.3.2 Crawl Space: skirted with horizontal wood boards, shingles or framed wood with not more than 1½" spaces between board or wood louvers. Horizontally oriented lattice may be acceptable based on style of home (1" min. thickness).
- 3.3.3 Garden Walls: stone or wood
- 3.3.4 Garden Gates: wood or iron
- 3.3.5 Retaining Walls: boulders, stone, approved concrete masonry units or approved brick
- 3.3.6 Foundation Walls and Piers: board over block, pebble dashed stucco or stone.
- 3.3.7 No vinyl or aluminum siding shall be allowed.
- 3.3.8 No diagonal pre-fabricated "economy lattice" will be permitted.
- 3.3.9 No E.I.F.S. or "soft coat stucco".
- 3.3.10 No cementious panels or T111 wood siding.

Standards for Configurations and Techniques in Exterior Walls

- 3.3.11 If more than one material is used, a change in materials may only be made along a horizontal line, with the heavier material below the lighter (such as at a gable end or floor line). Material changes may terminate vertically at an inside corner only.
- 3.3.12 Wood clapboard and shingles shall be horizontal, maximum 8' to the weather. Shingles shall be maximum 8" to the weather.
- 3.3.13 Shingles shall be hand split or machine cut, evenly coursed and have a "mountain flavor".
- 3.3.14 Natural stonework shall be a minimum 3" veneer. All cultured stone and brick is subject to approval by the ARC.
- 3.3.15 Stucco shall be rough texture finished or pebble dashed.
- 3.3.16 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.
- 3.3.17 All exterior wood (siding, trim, shingles, etc.) shall be painted or stained with a pigmented stain.

3.4 Roofs

Materials

- 3.4.1 Composition shingle (240# or better)
- 3.4.2 Slate
- 3.4.3 Standing seam metal roof only
- 3.4.4 Manufactured painted tin
- 3.4.5 The main body of the roofs shall not be a reflective material; accent and dormer roofs may be allowed ARC approval.

Standards for Configurations and Techniques for Roofs

Roof materials with texture and depth, which are compatible with the environment and the community architectural theme, are highly desirable. The following criteria address roof design:

- 3.4.6 Roof colors: slate gray, gray green, dark green, brown, dark charcoal and brown mix
- 3.4.7 The minimum roof pitch or slope allowable is 6:12, at ARC discretion.
- 3.4.8 All roofs must meet uniform building code and all load requirements.
- 3.4.9 Roofing materials to be used for replacement of an existing roof must be submitted to the ARC in advance for review and approval.
- 3.4.10 Ancillary roofs (attached to walls at the highest portion of the principal building) may be sheds sloped no less than 4:12.
- 3.4.11 Eaves to be continuous. All eaves may be either exposed rafters or be a closed soffit as is architecturally appropriate.
- 3.4.12 Roof penetrations shall be placed on rear slope of roof, and painted to match the color of the roof, except those of metal which may be left unpainted. Penetration locations subject to ARC approval.
- 3.4.13 Dormers are encouraged.
- 3.4.14 Gutters and downspouts to be made of galvanized steel, aluminum, copper (not copper-coated), anodized or ESP aluminum. Flashing shall be copper or galvanized metal.
- 3.4.15 Copper roofs, flashing, gutters and downspouts shall be allowed to age naturally (not painted or sealed).

3.5 Doors and Windows

Materials

- 3.5.1 Exterior Doors: wood, or other ARC approved material
- 3.5.2 Garage Doors: All garage doors shall be carriage style. Garage doors must be stained or painted to match other doors and the overall exterior color theme.
- 3.5.3 Security doors and window grilles must be approved.
- 3.5.4 Windows: primed wood (painted) or exterior aluminum clad and glazed with clear glass
- 3.5.5 Window Trim: to be no less than 3½"
- 3.5.6 Bay Windows: made of trim lumber, corner trim to be no less than 6".
- 3.5.7 Shutters: wood
- 3.5.8 Screens: brass, bronze or black vinyl

Configurations and Techniques for Doors and Windows

- 3.5.9 Doors to be hinged and constructed of planks or raised panels, not flush with applied trim. (With the exception of garage doors).
- 3.5.10 Stucco trim articulations shall be subject to approval by the ARC.
- 3.5.11 Accent color for items such as the shutters and front door may be used subject to the approval of the ARC.
- 3.5.12 Windows to be rectangular single double or triple-hung, awning, fixed or operable casement types, with vertical proportion.
- 3.5.13 Window muttons to be true or simulated divided light and create panels of square or vertical proportion.
- 3.5.14 Bay windows to have a minimum of 3 sides and shall extend to the floor inside and to the ground outside or be structurally supported by brackets.
- 3.5.15 Storm windows and screens to be integral with the window.
- 3.5.16 Design of front exterior door may vary so long as the community design theme is complimented.
- 3.5.17 All exterior doors, including the garage doors, to be stained or painted to compliment the exterior siding and trim colors. All exterior colors must be approved by the ARC.
- 3.5.18 Garage doors should be a quality, carriage-style. Separate doors for each garage bay are preferred over single, overly wide doors. Garage doors should not dominate the front façade.

3.6 Other Design Elements

Materials

- 3.6.1 Chimneys: If exposed to front or side, stone is required. If chimney exists on the rear a metal flue may be used and all efforts will be made to disguise or hide its appearance.
- 3.6.2 Wood Stove Flues: metal
- 3.6.3 Flashing, if visible, must be copper or painted galvanized – no unfinished metal.
- 3.6.4 Piers and Arches: pebble dashed stucco, wood shingles, approved brick or stone
- 3.6.5 Porches, Posts, Spindles and Balusters: wood
- 3.6.6 Porch Ceilings (including exposed joists): painted or stained wood is preferred.
- 3.6.7 Columns: stone or wood
- 3.6.8 Attic Vents: set at gable ends, having proper proportions. Low-profile ridge vents may be used.
- 3.6.9 Stoops: brick, wood, stone or stamped concrete. If concrete, stoop shall have brick, stone or stucco cheek walls.
- 3.6.10 Patios: approved brick, stone or approved concrete treatment

Configurations and Techniques for Other Design Elements

- 3.6.11 Ridge vents, if used, shall be low profile and extend to the outside edge of rake overhang.
- 3.6.12 Metal elements shall be galvanized steel, anodized or ESP aluminum, or marine grade aluminum.
- 3.6.13 Frieze boards are required minimum 2" x 6".
- 3.6.14 Decks shall be located in rear and side yards only and will be painted, sealed or stained.
- 3.6.15 The following are permitted only in rear yards, provided they are not visible from the street: HVAC equipment, which may be on the side if screened, permanent grills, permanent play equipment and hot tubs (those at ground level must be covered). Solar panels are allowed if they are not visually obtrusive. All are subject to ARC approval.
- 3.6.16 The following are not permitted: laminated materials, window air-conditioning units, antennas, plain concrete patios, and clothes lines.

- 3.6.17 Chimneys to be a minimum 2:1 proportion in plan and capped to conceal spark arresters. Fireplace enclosures and chimneys to extend to ground.
- 3.6.18 Porch piers of masonry construction shall be no less than 12" x 12".
- 3.6.19 Arches of masonry construction shall be no less than 12" in depth.
- 3.6.20 Arcades and breezeways shall have vertically proportioned openings.
- 3.6.21 No bright or unfinished surfaces will be allowed on any exterior surfaces. Brushed metal accents and copper accents shall be allowed with the approval of the ARC. All metallic surfaces such as roof vents, fireplace flues and gutters shall be coated or painted a color that compliments the other exterior surface colors. Ancillary roof elements should be located to the side or rear of the house.
- 3.6.22 Railings shall have horizontal top rails and be centered on the pickets. Wood top rails shall be eased and bottom rails, when used, shall have a vertical section.
- 3.6.23 Brackets that cantilever shall be structurally supported.

Section 4

LANDSCAPING STANDARDS

A landscape plan prepared by a qualified landscape architect or landscape designer familiar with the Lake Lure area shall be submitted for review by the ARC. The ARC reserves the right to not approve any plant deemed to be incompatible with the mountain environment or of inadequate size. The landscape design shall be compatible with the mountain environment by using native stone, wood and other materials in conjunction with plantings.

4.1 Planting Standards and Choices

- 4.1.1 No living tree outside the building envelope exceeding four (4) inches in diameter at a point one (1) foot above ground level, nor any dogwood or flowering shrub will be cut without written approval of the ARC. Should a Lot Owner remove any tree or vegetation as herein provided, without the required written approval, or should damage to any tree or shrub occur due to negligence or intentional destruction, said Lot Owner shall be liable for fines and penalties in accordance with the Association's Charter and rules and regulations as established by the Board of Directors.
- 4.1.2 Exceptions are as follows: Dead, damaged, or diseased trees may be removed; poisonous plants may be removed. Invasive species may be removed.
- 4.1.3 These restrictions are not intended to prevent routine mowing, pruning and other maintenance post construction phase.

For a list of suggested and invasive plant materials, see Appendix C.

4.2 Driveway/Parking

- 4.2.1 All permanent driveways, turnarounds and parking areas must be surfaced. Acceptable material choices are: stamped or colored concrete, asphalt or prime and seal, brown pea gravel or pavers.
- 4.2.2 Adequate drainage provisions to accommodate heavy rains must be used. Drives may not drain onto public roadways, or create any additional erosion to the property.
- 4.2.3 Driveway must provide off street parking for at least two automobiles.

4.3 Decorative Accessories & Exterior Installations

- 4.3.1 All exterior accessories, including but not limited to address numbers, hardware, ornamentation, light fixtures, pole lamps, paint, exterior stains, and any other exterior surface must have prior written approval of the ARC prior to application. Such accessories must conform to the prevailing theme of the Firefly Cove community.

4.4 Exterior Lighting

- 4.4.1 To be installed so as not to disturb neighbors or impair vision of traffic on nearby streets (i.e. no street lights, stadium lighting or cobra lighting). 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.
- 4.4.2 Down lighting is encouraged to reduce glare and better light roads and paths.
- 4.4.3 Indirect sources and horizontal cutoff fixtures (hooded fixtures) are required to reduce glare and provide general ambient light.
- 4.4.4 Low-level landscape lighting immediately adjacent to the residence is permitted. Lighted columns require specific approval by the ARC.
- 4.4.5 Colored lights are prohibited except during certain holiday seasons, such as Christmas, but must be removed as soon as the holiday passes. Holiday illumination shall be minimal. The Covenants and Restrictions state that the ARC has the right to require the removal of any holiday illumination which it determines, in its sole discretion, to be inappropriate for the Subdivision.

4.5 Fences

- 4.5.1 Fences are structures and as such require written pre-approval by the ARC as to design and location. They are generally discouraged except as required by building codes such as enclosing a swimming pool.
- 4.5.2 When fences are necessary or desired, they must harmonize in character and color with the house and landscape design.

4.6 Pools/Spas/Fountains

- 4.6.1 Approval for installation of any pool, spa, or fountain, and its location on the property must be obtained from the ARC before any installation is initiated.
- 4.6.2 No above ground pools or inflatable bubble covers will be allowed.

4.7 Recreation Facilities and Play Structures

- 4.7.1 Tennis courts are not allowed on individual lots unless approved by ARC.
- 4.7.2 Swing sets and similar outdoor play structures and equipment allowed with ARC approval.

4.8 Patios, Decks and Walks

- 4.8.1 Privacy walls should be made of materials that are the same as those used in the dwelling and should be a complimentary color as the particular building to which they are appurtenant.
- 4.8.2 Walks extending from the outdoor 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.

4.9 Retaining Walls

- 4.9.1 Walls should be as low as possible. If a retaining wall ten (10) feet or higher than is necessary, retaining walls should be terraced so no single wall exceeds a maximum of five (5) feet to minimize impact.
- 4.9.2 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 ARC. The use of textures or colors within concrete will also require specific pre-approval.

4.10 Site Grading

- 4.10.1 Grading shall be kept to a minimum.
- 4.10.2 Grading and erosion plans require Town of Lake Lure approval prior to any grading activity.
- 4.10.3 Excess excavation material shall not be placed in any common areas, roads, or other lot areas, except as approved in advance by the ARC. Excess debris or material must not be spread over the remainder of the lot during the backfill and final grading operations.
- 4.10.4 Techniques such as “stepping”, building down slopes, providing access across slopes instead of down them, and using low retaining walls should be used when necessary to minimize the amount of grading required on a site.
- 4.10.5 Cut and fill slopes should be kept to a maximum of 2:1 with steeper slopes allowed, as designed by a registered Geo-technical Engineer and approved by the ARC.
- 4.10.6 All graded slopes should be “rolled” back into existing slopes so that no sharp contrast exists between existing and disturbed slopes.
- 4.10.7 All areas to be preserved (such as trees, shrubs, rock outcrops) shall be marked and protected throughout the construction period.

4.11 Bridge Construction

- 4.11.1 Requires approval of ARC before construction may be initiated.

4.12 Watercourses

- 4.12.1 No lake shall be constructed, no course of any stream shall be changed, and no culvert shall be installed in any stream without prior written approval of the ARC and all controlling state and federal agencies.
- 4.12.2 No Lot Owner shall dam, re-channel, pond, or otherwise hinder the natural flow of any creek or river.

4.13 Trash Receptacles

- 4.13.1 Outside trash receptacles are to be covered, and stored in a location on the property so that they are not visible from the street, except on the day of trash pick-up or collection.
- 4.13.2 No burning of trash or rubbish is permitted at any time.

4.14 Utilities

- 4.14.1 All utility trenches and ditches shall be properly compacted and routed away from existing trees.
- 4.14.2 All permanent electric and telephone lines shall be extended underground.
- 4.14.3 Easements for installation and maintenance of utilities, roadways and such other purposes incidental to the development of Firefly Cove, 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.

4.15 Mulching

- 4.15.1 Materials are to be pine bark, double shredded hardwood, or pine straw.
- 4.15.2 Mulching is required for all planted areas and any exposed soil not otherwise planted.
- 4.15.3 Rock, pebbles or colored mulches are not acceptable mulching material.
- 4.15.4 Synthetic mulch is not allowed

4.16 Signage

- 4.16.1 Real Estate: one (1) for sale sign is permitted on a property. The sign shall be no larger than 18" by 24".
- 4.16.2 Security systems signs are permitted within 10 feet of a home.
- 4.16.3 Contractor signs are permitted during construction but must be removed within 14 days after a Certificate of Occupancy has been issued by Rutherford County.

Section 5

FIREFLY LODGE CONDOMINIUMS

Firefly Lodge Condominium Association, Inc., is part of the master planned community of Firefly Cove and is subject to the Declaration of Covenants, Restrictions, Easements, Reservations, Terms and Conditions for Firefly Cove, a master planned community in Rutherford County, North Carolina.

Please refer to the recorded Declaration of Covenants, Restrictions, Easements, Reservations, Terms and Conditions for Firefly Lodge Condominiums for restrictions regarding uses, regulations, entry, rentals, etc.

Section 6

MODIFICATION TO EXISTING RESIDENCES AND LANDSCAPES

Please keep in mind that all changes to the exterior of your home require prior approval from the ARC. In order for your submission to be reviewed, you must provide a detailed description of the planned improvements/work to be done, a copy of your survey outlining the exact location of the work to be done, a list of plants or material to be used (including the manufacturer, make, and model of materials), as well as the name of your contractor (if known). All submissions must be received prior to any work being done. Please know we request contractor and architect names to help communicate needs with them so we may facilitate a smooth approval process.

Structural alteration and/or additions: including but not limited to room additions, decks, patios, porches, walkways, roofing, fences, play structures, doors, shutters, exterior painting are all exciting projects. Please secure approval prior to commencing work.

Landscape alterations, additions, removals, or relocations, and garden or yard structures or ornaments all need to be reviewed by the ARC.

6.1 Items Required for Presentation to ARC for Exterior Improvements to an Existing Residence:

- 6.1.1 Letter of Intent – from owner to ARC outlining the intent and purpose of the proposed improvements.
- 6.1.2 Color Samples (See Appendix B) – 8.5x11” size samples of proposed colors of all exterior materials including siding, trim, brick, roofing, stucco, and lattice shall be submitted, or actual samples of materials proposed for use shall be submitted with the package for review. Color photo images of stone may be submitted. (On site mock-ups of all exterior finishes will be required for final review and approval.)
- 6.1.3 Site Plan – plan showing dimensions of property and the location of proposed improvements.
- 6.1.4 Drawings – two sets of plans and elevations (one full size; one 11” x 17” set) that adequately define and explain the proposed improvements. Drawings representing the existing structure(s) will also need to be included.
- 6.1.5 Completed Improvement Review Form (See Appendix B) – completed and submitted to the ARC for review along with two sets of plans for review and the plan review fee (See Appendix A for fee amounts).

6.2 Existing Home and Landscape Standards

- 6.2.1 All landscaped areas, beds and lawn areas to be maintained in an orderly, neat manner.
- 6.2.2 In natural areas, weed growth must be controlled.
- 6.2.3 Any changes to landscaping, such as fences, fountains, lighting, game structures, play structures, drives, walks, landscape structures, statues, and other exterior accessories must be approved by the ARC.
- 6.2.4 No storage sheds will be allowed without being totally screened from sight and must be approved by the ARC.
- 6.2.5 Storage of boats, boat trailers, trailers of any type, campers, RVs, work/business vehicles may be stored out of sight in garages or stored in the POA storage lot.

Sections 7

SUBMITTAL PROCESS

7.1 Step 1: Conceptual Design and Site Review

The on-site design and site review meeting allows the architects, property owners and builders to meet with the ARC to walk the site and more fully understand the unique challenges and design opportunities for your lot. Conceptual sketches for your house and site will be reviewed at this time. The ARC has five (5) sample color and material pallets available in the Lodge for any property owner to use.

It is the responsibility of the property owner, their architect and builder to review and understand the Standards prior to beginning the design process.

ARC must respond within a reasonable period of time.

7.2 Step 2: Preliminary Design Submittal

The purpose of the preliminary design submittal is to fully illustrate the design intent of the house. A site plan showing existing conditions, proposed clearing, grading, and site improvements such as walkways, driveways, terraces and other exterior amenities must also be submitted.

- 7.2.1 Fully completed submittal application and checklist including one full-size and one half-size (11" x 17") copy of the following documents. Property owners are encouraged to submit a ".pdf" version of these documents as well in order to expedite your review process.
- 7.2.2 Property survey indicating contours, setbacks and tree locations.
- 7.2.3 Preliminary site plan indicating rough grading, drives, building placement, porches, accessory buildings, site walls and any major feature of the house or its related structures.
- 7.2.4 Floor plans (all levels, including basement) at minimum 1/8" = 1'. Provide overall building dimensions.
- 7.2.5 Exterior elevations (all sides) at minimum of 1/8" = 1'. Provide all windows and door openings, floor elevations and eave heights.
- 7.2.6 Notes and sketches indicating all building materials and their placement on the structure(s).

7.3 Step 3: Final Design Submittal

The Final Design Submittal should include all details, building sections, etc. to fully document and design and construction intent. A preliminary color and material sample as well as a preliminary landscape plan must also be included at this step.

- 7.3.1 One full-size and one half-size copy (11" x 17") (you are encouraged to submit these documents in ".pdf" format via e-mail as well) of the final architectural drawings including:
 - 7.3.2 Floor plans (all levels, including basement) at a minimum of 1/8" = 1'. Provide overall building dimensions.
 - 7.3.3 Exterior elevations (all sides) at minimum of 1/8" = 1'. Provide all windows and door openings, floor elevations and eave heights. Delineate all building materials and dimensions clearly. Vents and roof penetrations shall be shown on the rear or hidden portions of the roof. For buildings with masonry or stucco, expansion joints (if required) must be indicated on the drawings. Gutters must be shown.
 - 7.3.4 Wall sections at 3/4" = 1' of a typical wall, walls at front entry, garage doors and any special conditions such as porches, overhangs or projecting bays.
 - 7.3.5 Window and door details showing head, jamb and sill conditions indicating materials, dimensions of trim and shutters.
 - 7.3.6 Eave and rake section details at minimum of 3/4" = 1'.
 - 7.3.7 Details of special exterior conditions such as posts and columns, special brackets, moldings, corbelling, chimney caps, cupolas, louvers, material transitions, etc.
 - 7.3.8 Preliminary color and material sample selections in two-dimensional 8 1/2" x 11" format (maximum) to include all exterior materials, windows, roof, gutters, entry doors, garage doors, lighting, driveway, walkways, retaining walls, etc. Stone or brick samples should indicate mortar color and stacking patterns. These may include photographs, specification or product cut sheets, etc. Hyperlinks to manufacturer websites can also be helpful.
 - 7.3.9 Final site plan at a minimum of 1" = 20' indicating:
 - 7.3.9.1 Existing and proposed grades including spot grades.
 - 7.3.9.2 All existing trees to be preserved including location of tree protection fencing.
 - 7.3.9.3 Proposed driveway alignment and all site improvements such as walkways, walls, exterior lighting, terraces and porches, garden areas, and other exterior amenities including dimensions, materials and details.
 - 7.3.9.4 All drainage ways and drainage improvements.

- 7.3.10 Preliminary landscape plan at minimum of 1" = 20' indicating:
 - 7.3.10.1 Existing trees to be preserved
 - 7.3.10.2 Areas of reforestation or transitional plantings at woodland edges (if applicable).
 - 7.3.10.3 Ornamental landscape plantings, including garden areas, entry courts, lawns, etc.
 - 7.3.10.4 Intended planting list including approximate plant sizes.

7.4 Step 4: Field Stake and Construction Approval

After approval of the Final Design Submittal, the property owner/builder shall field stake the house location as approved for ARC inspection prior to clearing. Any adjustments required at this time to save trees or reduce construction impacts will be discussed.

- 7.4.1 Exact house location will be staked, to include the centerline of driveway and extent of paving area.
- 7.4.2 Limits of clearing area will be flagged.
- 7.4.3 A sketch must be submitted showing silt fence location(s), construction vehicle access, staging areas, temporary structures (if any), port-a-john location, and any other construction related item that may impact the site.
- 7.4.4 Upon approval of the above items, ARC will provide an approval stamp on the final construction documents for construction and permit purposes.

7.5 Step 5: Obtain Building Permit

It is the responsibility of the property owner/builder to obtain all required building permits. The property owner/builder must handle any items of concern of the permitting authorities independently of the ARC.

Note: The Town of Lake Lure will not issue a building permit without final approval from the Firefly Cove ARC.

7.6 Step 6: Construction Phase

After all building permits are secured, final plan approval and the final house staking has been approved, construction can begin.

- 7.6.1 Installation of protective barriers to preserve trees, erosion control measures, etc. must be implemented immediately upon clearing the site. Builders are required to follow all Construction Regulations found in Section 8 of this document.
- 7.6.2 A site mock-up of the final exterior colors and materials shall be provided for ARC review and approval within 30 days of site clearing and prior to ordering of materials. Generally, mock-ups for primary facade materials, stone or masonry and roof should be a minimum of 4'x4' per material.
- 7.6.3 Approximately six months after construction begins and prior to installation of site improvements, a final landscape plan prepared by a landscape architect or approved landscape designer/contractor shall be submitted.
- 7.6.4 Final landscape drawings (one full-size and one half-size – 11" x 17") must include:
 - 7.6.4.1 All site improvements, including materials, the location of driveways, walkways, entry terraces, rear and side patios and terraces, location of walls, fences and air conditioning and condenser units, as well as other exterior site amenities.
 - 7.6.4.2 A copy of the grading plan from the approved site plan submittal.
 - 7.6.4.3 Location of existing trees and wooded areas.
 - 7.6.4.4 Location, spacing, species and quantity of all trees, shrubs, groundcovers and other planting materials.
 - 7.6.4.5 Complete plant list showing scientific and common name, size, quantity and condition of each plant type.
 - 7.6.4.6 Details for site improvements including walls, paving, fencing, lighting as well as material samples. Sample selections should be presented in 8½" x 11" format and may include photographs, specification or product cut sheets, etc. Hyperlinks to manufacturer websites may also be helpful in expediting a review.

Section 8

CONSTRUCTION REGULATIONS

8.1 Before Beginning Construction

After you have received final approval of your construction documents but before you begin construction, the following actions must be taken:

- 8.1.1 Erect approved contractor/architect signs. Signs must be no closer than 15' from the edge of street and must have permits posted on the rear of the contractor's sign before any materials are delivered. No signs may be nailed to a tree, and no additional subcontractor signs may be posted at the site. Signs must be erected before a building permit is issued from the Town.
- 8.1.2 Obtain Town of Lake Lure and Rutherford County Building Permit. Note: The Town of Lake Lure will not issue a building permit without final approval from the Firefly Cove ARC.
- 8.1.3 Post building permits at job site.
- 8.1.4 Place dumpster and portable toilet on job site.
- 8.1.5 Temporary driveway/mud mat must be in place (graveled).

8.2 Construction Requirements

All construction at Firefly Cove will be under close observation by the ARC. Periodic field inspections will be conducted by the ARC on every residence under construction.

- 8.2.1 Site cleanliness at all times will be maintained at an acceptable level. If not appropriately maintained, a "stop work" order will be used by the ARC.
- 8.2.2 The ARC reserves the right to stop construction on any project that deviates from any and all approved plans as submitted to the ARC. All rejected work must be removed and reconstructed as per the approved plans.
- 8.2.3 Only one single-family residential dwelling shall be erected on any lot within Firefly Cove.
- 8.2.4 All builders of residences at Firefly Cove must be licensed as a residential builder by the State of North Carolina.

- 8.2.5 Construction personnel are allowed on site Monday through Friday from 7:00am to 7pm, and 8:00am to 5:00pm on Saturdays. No residential construction is allowed on Saturday from May 1 through September 30.
- 8.2.6 No residential construction work will be performed on Sunday or on national holidays.
- 8.2.7 All construction sites should be cleaned up before leaving on Friday afternoon.
- 8.2.8 Every 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.
- 8.2.9 Conduct of all workmen is the responsibility of the contractor. Workmen are not allowed to ride about or use Firefly Cove facilities. Loud cars and speeding are not allowed within the development and all construction vehicles are to be parked on the construction site. Workers are required to wear shirts and shoes when on the job site. Loud music from radios will not be permitted at any time.
- 8.2.10 Construction of all residences to be completed within one year of the issue date of the building permit. Approved landscaping must be in place within 30 days of occupancy or completion of construction of the residence.
- 8.2.11 The contractor is responsible for obtaining approval from the ARC for any construction activity that could in any way affect the intended development drainage plan. If disruption or realignment of the development drainage plan is considered to be a necessity, and upon approval of the ARC, 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.
- 8.2.12 During any period of site disruption, 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 governmentally approved drainage plans must be followed at all times.
- 8.2.13 After construction and landscaping are complete, all building debris shall be removed from the site. Temporary facilities, utilities and signs must also be removed.

Appendix A

Schedule of Fees

- | | |
|--|-----------------------|
| <input type="checkbox"/> Conceptual Review | \$0 |
| <input type="checkbox"/> Architectural Review Fee (Prelim. & Final)
(Due at Preliminary Review Submittal) | \$400 - nonrefundable |
| <input type="checkbox"/> Compliance Deposit | \$3,000 - refundable |

Definitions:

Conceptual Review: Review initial conceptual sketch, photos, site documentation.

Architectural Review Fee: Fee for the review of the preliminary drawings, the final construction drawings, and the landscape drawings and all documentation. Fee must be paid before final documentation will be reviewed.

Note: Fees for a renovation may be reduced.

Compliance Deposit: Refundable deposit that will be returned to Owner if the project stays within compliance with the approved design, construction and development Standards. Fines assessed for noncompliance may be deducted from deposit, after which owner must restore amount of deposit to original sum of \$3,000. Compliance deposit must be paid before final documentation will be reviewed.

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

Appendix B

Architectural Review Submittal Forms

- Page 33: General Design Review Information Sheet
- Page 34: Preliminary Design Submittal Checklist
- Page 35: Final Design Submittal Checklist For ARC Review
- Page 36: Preliminary Color, Material & Sample Submittal
- Page 37: Final Landscape Plan Submittal

Note:

The pages 33-37 will be added to the final document, they are not displayed in this attachment.

Attachment “B”

Firefly Cove Property Owners Association Friendly Reminder

(Today's Date)

(Homeowners Address)

Dear:

We all try our best to maintain our homes and our neighborhood in the best condition possible, so our homes and neighborhood maintain their peak value. Part of the way to ensure property values and the beauty of our neighborhood is maintained is by the use of restrictive covenants. With our busy lives, we often overlook these covenants.

Recently, the Board of Directors was contacted about such an oversight at your property. Per our covenant Article 7 Section 5, we require that (insert violation).

Please take a moment of your time to rectify this oversight by (insert date).

If you have any questions regarding the covenant sighted above or, need additional time to address this oversight, please feel free to contact via mail at Firefly Cove Property Owners Association, P.O. Box 303, Lake Lure, NC 28746.

The Board of Directors would like to thank you for your prompt attention to this matter.

Sincerely,

Bob Cameron, President
Firefly Cove Property Owners Association

Attachment "C"

Firefly Cove Property Owners Association Covenant Violation Letter

(Today's Date)

Homeowners Address

Dear

As a member of the Firefly Cove community, you are aware that we all have agreed to abide by Restrictive Covenants. These covenants are in place to ensure our homes and communities maintain the highest level of beauty and value. Periodically we all overlook these covenants. On *(date 1st letter was sent)* the Board of Directors advised you of a certain covenant violation at your property and requested that this violation be addressed by *(insert date)*. A copy of that letter is enclosed. At this time, it was noted that this outstanding violation has not been addressed. In light of this, the Board is again requesting that you take the necessary action to immediately comply with the covenants.

The Board will hold a hearing at *(insert time)* on *(date of Board's next regular meeting)* for you to be present and state your reasons for not addressing this covenant violation. The Board would again like to request that you address the *(insert violation here)* by *(insert corrective action here)* prior to the date of this board meeting.

If you are unable or unwilling to do so, please be aware, per our covenants, The Board has instituted a fine policy for covenant violations of up to \$100.00 per day for each covenant violation that is not resolved within the timeline requested or proposed. Should a fine be levied, it will be retroactive to the date the violation was first brought to your attention *(insert date)* . If the fine is levied, it will become a lien against your property. You will also be held liable for the legal fees associated with assessing a lien against your property.

We again request that you cooperate and correct the violation prior to the above date so that no hearing or fine will be necessary.

If you have any questions or comments please feel free to contact us via mail at Firefly Cove Property Owners Association, P.O. Box 303, Lake Lure, NC 28746.

Thank you for your prompt attention to this matter.

Sincerely,

Bob Cameron, President

Board of Directors Firefly Cove Property Owners Association

Attachment "D"

Firefly Cove Property Owners Association Final Covenant Violation Letter

(Today's Date)

(Homeowners Address)

Dear:

The Board of Directors has notified in you in writing on *(insert dates of letters)* regarding a covenant violation. It was noted on *(insert date)* that you failed to /did not *(insert corrective action)* and are clearly in violation of Article 7 Section 5 of the Firefly Cove Covenants. The Board met on *(insert date)* and confirmed that no action has been taken regarding this violation and as a result, levied a fine of \$100.00 per day, retroactive to the original date of notification to your property *(insert date)*. This fine will be in effect until the covenant violation is rectified. You are also liable for the legal fees associated with this lien.

If you have any questions or comments, please contact the Board of Directors via mail at Firefly Cove Property Owners Association, P.O. Box 303, Lake Lure, NC 28746.

Sincerely,

Bob Cameron, President
Firefly Cove Property Owners Association