

ARCHITECTURAL GUIDELINES

BUTLER MOUNTAIN ESTATES PROPERTY OWNERS' ASSOCIATION

The Restrictive Agreement for Butler Mountain Estates (BME) requires the approval of all plans for proposed structures in BME. The authority for the preliminary recommendation for approval or disapproval of all plans is vested in the Architectural Review Committee (ARC) as appointed by the Board of Directors of the Butler Mountain Estates Property Owners Association (BMEPOA). BME Board of Directors will grant the final approval or disapproval of such plans.

The ARC Guidelines

- 1) When proposing an original structure or any addition to an existing structure as defined in the Restrictive Agreement (hereby known as RA), the proposal will be accompanied by a site plan and house plan (where appropriate), roofing samples, samples of exterior paint, and samples of materials to be used for exterior walls, etc. Required items will be submitted online to the ARC by email (preferred), by mail (ARC, PO Box 177, Fairview, NC 28730) or by hardcopy submitted in person. An Erosion Control Plan which follows the [Buncombe County requirements](#) will also be submitted.
- 2) No proposed structure will be recommended for approval by the ARC if it is deemed by the Committee to be substantially divergent in design from the existing structures in BME. Structures considered divergent in design would include but not be limited to underground houses or geodesic domes.
- 3) No proposed structure will be recommended for approval by the ARC if it does not have basic parallel, horizontal roof lines, such as those found in standard ranch, colonial, split level, split foyer or similar types of houses. Other designs will be reviewed on a case by case basis.
- 4) No proposed structure will be recommended for approval by the ARC if by design or proposed appearance it could potentially harm the resale value of existing properties in BME.

- 5) No proposed structure will be recommended for approval by the ARC if its proposed height is deemed by the ARC to be disproportionately tall with regard to the lot on which said structure is built.
- 6) Any proposed modification following the initial approval of the plans will be submitted to the ARC for review.
- 7) No residence will be approved with less than 2,000 square feet of heated space, 1,300 square feet of which must be on the main level.
- 8) The ARC encourages the use of brick, stone, wood siding, fiber cement siding, or a combination of these materials for the exteriors of all structures. Alternate materials for exteriors will be considered on a case-by-case basis.
- 9) Exterior colors and/or materials of the proposed structure will be harmonious with the existing structures in the surrounding community.
- 10) No carports will be approved. No garage doors will face the street except as deemed appropriate by the ARC when applying the conditions described in item 18.
- 11) Driveways and turnarounds will be paved within one year after beginning construction.
- 12) Fences are not encouraged in BME. No functional fences, for pets, children, gardening, etc. will be allowed in the front of any property. Functional fences will only be allowed where they cannot be seen from the road and/or from other residents' houses. Decorative fences such as split rail fences may be used. Chain link fences will not be allowed under any circumstances. Materials for fencing will be considered on a case-by-case basis.
- 13) All electrical service will be buried underground from the existing company pole to the residence.
- 14) Measures will be taken to screen or block propane tanks and satellite dishes in order to minimize their visibility from adjacent roadways, to the extent feasible given signal reception options and federal regulations.
- 15) While the ARC strongly encourages the preservation of trees and other desirable vegetation, all flora destroyed and all construction material determined to be waste will be removed (not burned) from the

site within ninety days following completion of construction.

16) All primary landscaping will be in place within in one year following completion of construction.

17) During building and remodeling, no construction will begin before 8:00am nor will it continue past 6:00pm. Weekend construction will be permitted on an individual basis. Construction crews will not play radios or other audio devices at a volume which can be heard more than fifty feet from the construction site.

18) Occasionally, the topography of a site will dictate engineering or architectural deviations from some of the above guidelines. The ARC will take these variances into consideration on an individual basis.

19) Failure to comply with any Guidelines of the ARC will result in an immediate fine of one hundred dollars and a monthly fine of twenty-five dollars per month until the violation is corrected, the fine being imposed immediately and billed monthly.

20) These Guidelines are not complete and nothing herein prevents the ARC from employing additional standards and remedies which are not formally adopted in the approval or disapproval of the plans for a proposed structure. Each proposed structure will be judged on its own merit with an effort to promote and preserve visual harmony in BME.

Approved by the BME POA on November 4, 2023.