

BUILDING APPLICATION

COUNCIL OAKS PROPERTY OWNER'S ASSOCIATION

Date of Application: _____

Name : _____

Lot No : _____

Date Purchased : _____

Current Mailing Address: _____

Phone Number: _____

Email address: _____

Approximate Start Date: _____

Contractor's Name: _____

Address: _____

Phone Number: _____

E-mail: _____

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New Home Requirements

Main Floor Area _____sq. ft. – Must be at least 1400 square feet

Total HEATED Floor Area _____sq. ft. – Must be at least 2000 square feet

Attach the Town of Boone approved Building & Zoning Permits

Please check the following items that are being submitted:

NOTE: All items must be included in packet before your plans will be reviewed.

____ Site Plan drawn to scale with all setbacks and easements and driveway included with grading plan shown (preferably same site plan as submitted to Town of Boone)
No structure can be within 20 feet of right of way or within 15 feet of adjoining lot lines.

____ Landscape Plan drawn to scale including lot lines

____ Architectural Building Plans drawn to scale with dimensions and floor area calculations.

____ Color & Material Sample Board complete with all manufacturer coding.
This should be done on foam core board and include house plans with notations of material samples along with actual material samples.

____ \$1,500 Impact fee; Made payable to COPOA and sent to Treasurer prior to breaking ground.

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CONSTRUCTION STANDARDS:

Improvement requirements

Building and lot modifications require prior written consent of the ARC before work is started. Items falling within the scope of ARC include, but are not limited to: improvements (rooms, porch or patio additions, fences, privacy screens, retaining walls, decks, accessory buildings, gazebos, ponds, swimming pools, hot tubs/spas, playground structures); alternations (major cosmetic changes such as color or siding, changes in the external structure, landscaping that obstructs lines sight or is adjacent to common areas, antennas, satellite dishes, awnings, canopies, signs); excavations (drainage tiles, ditches, changes in grade, leveling or adding fill that alters the course of natural drainage.)

The following criteria represent the general standards that will be used in reviewing and evaluating an application for structural or design change. The characteristics of the house type and the individual site will be taken into account when evaluating the particular design proposal. Acceptable structural changes may vary from instance to instance based off a variety of considerations.

- **Validity of Concept:** the basic idea must be sound and appropriate to its surroundings.
- **Design Compatibility:** the proposed improvement must be compatible with the architectural characteristics of the applicant's house, adjoining houses, and the neighborhood setting. Compatibility is defined as similarity in architectural style, quality of workmanship, similar use of materials, color and construction details.
- **Location and Impact on Neighbors:** the proposed alteration should relate to the landscape, the existing structure and the neighborhood. The primary concerns include, but are not limited to access, view, sunlight, ventilation and drainage. For example, lighting may not cast unreasonable light on to adjacent properties; fences may not obstruct views, breezes or access to neighboring property. The size of the proposed alteration should relate well to adjacent structures and its surroundings.
- **Good Neighbor Policy:** when proposed alteration has possible impact on adjacent property, it is suggested that the applicant discuss the proposal with neighbors prior to making an application to the ARC.
- **Materials:** continuity is established by use of the same or compatible materials as were used in the original house.
- **Timing:** projects are to be completed within, six (6) months of start of construction, otherwise it could become a nuisance and safety hazard for neighbors.
- **Line of Sight:** any accessory building or structure shall not restrict the visibility of adjacent homeowners' views and will be reviewed on a case by case basis. Landscape screening is required around all accessory buildings, based on the impact on the adjacent homeowners' houses, views, etc. and all landscaping shall be completed no more than 90 days after completion of such structures.

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1. The property owner is responsible for the actions of their contractor and subcontractors and will assume all responsibility and liability resultant from their actions.
2. Building construction activities may only occur from 7 AM to 7 PM Monday through Saturday. No construction activity is allowed on Sunday.
3. All construction debris and any related debris must be kept on site in a neat and well-kept fashion.
4. Trash containers shall be kept off the streets during construction.
5. Contractor's vehicles shall be parked in a safe manner and not impede traffic. The homeowner will be responsible for any damage to neighboring property.
6. Trees 8" in diameter or larger that are more than 10' outside the building foot print shall not be cut down unless approved by the Board of Directors. Please contact ARC Chair to submit proposal.
7. Owners have 1 year after certificate of occupancy to install landscaping as shown on the approved landscape plan.
8. The contractor will be issued an individual gate code to be provided by the POA. The owner shall be responsible for ensuring that their contractor and subcontractors use the code in a responsible manner. Only CO residents and their immediate relatives are permitted to have gate remotes.
9. Any non-approved construction not corrected within a reasonable time will be completed by the POA and billed to property owner. This will include drainage issues, common area damage, roads and gates. Any bill not paid within 30 days shall constitute a lien against the owner's property.
10. New Houses must be completed within 16 months of the start of construction.
11. Owner is responsible to work with their GC to insure that all drainage is handle correctly for their property and surrounding properties. Any damage caused by drainage during or after the construction process will be the responsibility of the owner.

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Material standards and colors

1. House and Accessory Building colors and trim should blend in with the colors naturally in the community.
 - A. Colors should be muted so they do not stand out from the natural colors of the mountain, such as trees, foliage, rocks, ground cover, earth (dirt)
 - B. Dark value colors blend in with our natural colors. As the color choices become lighter, they tend to stand out from the natural surroundings.
2. All exterior material must be submitted with manufacturer and color codes identified.
3. A foundation survey shall be submitted to the ARC following installation of the foundation walls. All submitted plans for building structures must show that the building structures will be permanent in character and on a permanent fountain.
4. Windows and doors are required to be wood or aluminum/wood clad in harmony with the exterior finish.
5. If using shingle roofing material, 35-year architectural shingle is the minimal required. All other roofing material needs to be submitted with the house plans for review.
6. If a wood exterior is used, a number 2 or better tight knot cedar exterior or equivalent is required.
7. Exterior paint is required to be a 20+ year grade and stain is required to be a solid stain except for doors, trim and timbers, in which case if a semi-transparent stain is used it will need to be reapplied as needed. All exterior finishes must be applied per the manufacturer's specifications.

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Enforcement

Please be advised that at any point in time, the ARC may have to contact the lot owner if your builder does not abide by any of the conditions.

If the Property Owner and/or the Contractor do not correct (1), a violation of the Council Oak Declarations of Covenants, Conditions and Restrictions or (2), a failure to comply with the Building application after having received two warnings from the Architectural Review Committee, the Property Owner will be referred to the Council Oak Property Owners Association Board of Directors with a recommendation that a fine or other penalty be imposed pursuant to Section 4-6 (k) of the Declaration of Covenants, Conditions and Restrictions for Council Oak.

Please note construction cannot commence until the application, plans and supporting documentation are approved by both the Architectural Review Board and a representative of the Board of Directors and the impact fee has been paid. Applicants will be notified within 30 days of submittal.

It is the Property Owner's and Contractor's responsibility to read, understand and abide by the Covenants of the Council Oak Subdivision. By signing below, you attest that you have read and understand the covenants and agree to abide by them.

The Architectural Committee will not issue a Construction Approval certificate to a property owner who is delinquent in the payment of annual assessments. Any assessment more than 30 days past due is considered delinquent.

Owner's Signature

Date
