

The Farms at Mill Spring

Design and Review Guidelines

1. Introduction

The Farms at Mill Spring is an equestrian community located in a beautiful rural setting with extraordinary mountain views and rolling pastures. Along with hardwood forests, ponds, and waterways, this development is set in an exceptional natural environment. Careful planning has resulted in a design that respects these natural features and protects the scenic and pastoral character of the area.

The “Protective Covenants Conditions and Restrictions for The Farms At Mill Spring, An Equestrian Reserve and Subdivision” as recorded in the Polk County Registry were created to ensure appropriate uses, define certain standards, and establish the Farmowners Association. In addition these covenants cause the formation of the Architectural Review Board (ARB) which is charged with decisions and actions related to approval or disapproval of plans and specifications for land use within the subdivision. The Architectural Review Board encourages the highest standards of design in site planning, architecture, landscaping, and use of materials.

This brochure is a general guide to the planning and design of properties at The Farms at Mill Spring. Prospective purchasers and existing lot owners should refer to this brochure as well as the recorded covenants for complete information related to owning, using, and making improvements to property within this subdivision. Property owners and their designers shall use these documents to prepare plans and specifications for submittal to the Architectural Review Board.

Warning: All construction will be in accordance with final plans approved by the Architectural Review Board. No exterior design or siting changes of any kind will be made without approval of the Board. Demolition, removal of parts of a structure or certain materials, or other action may be required if the Board finds that a plan feature was modified in the course of construction.

2. Design Guidelines

The Farms at Mill Spring, located in the gently rolling foothills of the Blue Ridge Mountains, commands sweeping panoramic views of the mountains to the North and West. Within The Farms lush pastures are bordered by mature hardwood forests of Oak, Maple, Birch, Poplar, Black Gum, Birch, Dogwood, and Sourwood. Numerous ponds, creeks, springs, waterfalls, and wetland areas are spread throughout the property. These aquatic features and woodland habitats attract numerous birds, mammals, and other wildlife to the area. This natural environment within The Farms at Mill Spring is

exceptional and adds considerable value to the property as well as enhances the lifestyle of its residents. Preservation and enhancement of the unique and natural qualities of this landscape are major design goals for The Farms at Mill Spring. Building and landscape designs and use of materials that blend into the natural landscape are the goals of the Architectural Review Board.

The careful blending of structures and landscape is a priority and considered to be an essential element of any design submitted for this property. Excellence in landscape design as well as building design cannot be overstressed. Use of registered architects, landscape architects, and qualified professional contractors can help ensure that the high design standards of The Farms at Mill Spring are maintained.

A. Site planning and architectural design

The location and design of driveways, houses, barns, and other structures and improvements will conform to the following:

1. Homes should be designed, sited, and oriented to complement the landscape. Designs should respect the natural grade to the greatest extent feasible. Grading that results in substantial alteration of pre-existing topography, beyond the immediate footprint of the residence, is discouraged.
2. Minimize visual impact of structure from public roads, public viewing spots, and other homes.
3. Perceived height and mass of homes should relate reasonably to the surrounding hills.
4. Maximum effort shall be taken to preserve natural features with minimum alteration of steep slopes, streams, ponds, and other water features, vegetation, etc.
5. Nature trails and bridal paths should be an integral part of the site plan when such are shown on the recorded plat.
6. To maintain the continuous, open feeling that presently exists, minimize use of fences or walls around houses, other than low garden or retaining walls. If other fences or walls are necessary, they should extend from a structure.
7. Attached garages limited to 3 cars: garage doors should not face the street.
8. Ancillary structures, pools, tennis courts, etc. should be carefully sited and landscaped to minimize their bulk in relation to the house and to provide adequate spacing between structures.
9. Other architectural elements; recommend use of historical elements like front and side porches, exterior stairs, small gables and dormers, exterior chimneys, and wide overhangs. Ensure that more contemporary features like wooden decks compliment traditional styles.

10. Each lot shall install the standard mail/newspaper box and post as specified herein.
11. Construction shall be in accord with current local codes and laws.
12. Existing trees greater than 12” in diameter shall be retained within reason around proposed structures. Roots of trees to be retained in a construction zone shall be protected by the installation of safety fencing or other method at the dripline.
13. Prevention of soil erosion and the sedimentation of creeks, ponds, and waterways is required. Any sediment shall be contained entirely within each lot. For new construction the extent of soil disturbing activity shall be shown on the site plan. Methods to minimize soil erosion shall be followed using best management practices. These methods can be found in: ‘Erosion and Sediment Control Planning and Design Manual’ published by the NC Department of Environment and Natural Resources (NCDENR). Any land disturbing activity must comply with all federal, state, and local regulations. Contact NCDENR at (828) 296-4500 for details before disturbance of any soil or impoundment of stream and/or ground water. Any soil, gravel, stone, sediment and/or trash eroding from one lot and moving to another property shall be removed by the offending party and the disturbed area restored to its original condition. The lot owner of the lot from which such material originated shall pay for the cost of this work.
14. During construction all driveway to road connections shall be stabilized with a gravel base at least 4” thick and 12’ wide within 50’ of the road. Replenish with gravel as needed to stabilize the soil and minimize the tracking of soil onto roadways.
15. All pasture fencing shall match the 3 rail board fencing with 4x4 post painted black as established by the developer along roadways.
16. Outdoor lighting shall be minimized and oriented in such a way that glare is not visible from adjoining properties.

B. Landscaping

1. Use existing and/or native plant materials where possible, especially trees (e.g. Carolina Hornbeam, Beech, Willow, White, Red, and Swamp Oaks, Sweet Gum, Dogwood, etc.)
2. Compliment landscaping of neighbors and other areas of The Farms at Mill Spring.
3. Minimize grading, other site disturbances, use of retaining walls, etc.
4. Use porous paving surfaces.

5. Strive for year-round variety, color, and interest.
6. New trees shall be of appropriate height and mass relative to the buildings they are planted near. These trees should be approximately 30% of the height of the most prominent, nearby building on the site, or larger.
7. A significant percentage of new shrubbery shall be of well developed specimens.
8. Exposed ends of drainage culverts shall have field stone headwalls as approved by the Architectural Review Board.

C. Maintenance

1. All soil shall be stabilized to prevent erosion.
2. Each property owner shall keep all grass areas well maintained as outlined in the covenants.
3. Each property owner shall maintain all aspects of their site and keep it in a neat and attractive condition.

D. Additions or Alterations

1. Additions, reconstructions, alterations, or changes to structures and landscaping are hereby further defined and plans for same must be submitted in writing to and approved by the Architectural Review Board (ARB) before any work is commenced on the project.
2. Structural changes and/or expansion to any existing buildings (house, shop, barn, etc.) such as addition of a porch, deck, tractor/tool shed, etc. that will affect the exterior appearance of the structure.
3. Addition of a building (guesthouse, barn, shed, etc.) which was not shown on final submittal and previously approved by the Architectural Review Board.
4. Relocation of any existing building or shed on or onto the property.
5. Change in color of house or any other existing structure from the original color submitted in the final submittal and previously approved by the Architectural Review Board.
6. Change in the color of the roof and/or existing material from the original color and material submitted in the final submittal and previously approved by the Architectural Review Board.
7. Relocation of the driveway and use of a material not recommended in the design & review guidelines.

8. Changes to or addition of exterior lighting which is not approved in the design & review guidelines.
9. Major or significant changes to the landscape plan which will cause significant impact to and/or alter the appearance of the approved and existing landscaping plan previously approved by the Architectural Review Board. This includes retaining walls and changes to drainage patterns that involve grading and/or may impact neighboring properties.
10. Location of fences and type of fencing material not previously submitted to and approved by the Architectural Review Board, including additions to and/or significant relocation of previously approved fencing.

3. Design Guidelines

Use the following checklist as a guide to planning for improvements at The Farms at Mill Spring

RECOMMENDED	APPROVED WITH CONDITIONS	DENIED
Minimize view of structures from public roads & adjacent properties		
Curvilinear driveways	Formal motor courts	Arrow-straight driveways
Minimum cutting of trees		Clear-cutting
Minimize grading & alteration of existing slopes		Excessive cut & fill
Lean-to or recessed porches	Stylized, classical details	
Stone or brick terraces; wooden decks	Concrete terraces w/ wood or brick dividers	
Stone, brick, or stucco chimneys	Pre-fab box chimneys	Exposed metal chimneys in full view
Small gables or shed dormers (proportional to rest of house) Cupolas or “overlook” rooms	Wide, shed dormers (rear of house only)	

RECOMMENDED	APPROVED WITH CONDITIONS	DENIED
Masonry or stone piers under decks	Heavy wood supports	Steel-pipe column supports
Incorporation & re-use of old log cabins or barns as part of new construction		Modern log cabin kit homes
Garage doors face away from public view	Garage doors facing public view, with a setback	Prominent or flamboyant garage
Walls; use stone or brick		
Driveways & walks; use porous materials where possible (gravel, spaced stone, grass pavers)	Tar & gravel, asphalt, modular pavers	
Building wall; use native stone; old or handmade brick; stained or painted rough sawn or vertical siding; textured stucco; log or heavy timber wood shingles	Tumbled brick or wood mold brick; half timber and stucco infill, textured hardy board	Vinyl or aluminum siding; crisp, commercial brick; exposed concrete block; imitation stone or brick; or metal wall cladding
Building height limit of 36 feet-from average outside grade to highest point of the roof		
Sloping gable, hip, gambrel or shed roof		
Roof coverings of wooden shingles, metal roofs, or heavily textured composition shingles	Other textured shingles	Built-up or sheet roofing that is visible from public view or adjacent properties
Roof pitches from 3/12 to 12/12	Steeper pitches only where necessary	Flat roofs unless for terraces
Natural Colors		White roofs

RECOMMENDED	APPROVED WITH CONDITIONS	DENIED
Using existing/natural vegetation in landscape plans		Clear-cut the lot
Hardy, native species	Non-native species	Invasive non-native species
Low- maintenance vegetation colorful throughout the growing season		
Trees or shrubs of appropriate height and mass relative to nearby buildings		Saplings and/or shrubs planted next to massive 2-story building
Fences; extend from structure if possible; use wood, stone, or brick		Woven-wire or chain-link fences

4. Architectural Review Board Plan Review Process

The Farms at Mill Spring is committed to preserving and enhancing the rural character of the area and will achieve this through a plan review process for any new construction or alteration of existing features. Plans, specifications, and material samples shall be submitted to the Architectural Review Board for approval as outlined below:

A. Preliminary Plan Submittal (Optional)

This stage of the approval allows the Architectural Review Board to look at initial thoughts and ideas related to a project. These plans can be conceptual in nature, but shall include the following information:

1. Date
2. Name and address of owner
3. Name and address of each designer
4. Survey plat of property showing trail, easements, water courses, road rights of way, etc.
5. Building plans, include each floor and prepare at 1/8" or 1/4" scale
6. Include approximate square footage calculations.
7. Exterior building elevations with materials indicated
8. Preliminary exterior color selection.
9. Site plan of the proposed development area, no smaller than 1" = 50' showing house, garage, driveway, well, septic field, parking area, additional structures, and improvements arranged on the lot. The undeveloped area of the lot can be shown at 1" = 100' if desired.
10. Anticipated location of underground utilities.
11. North arrow and topographic lines (use U.S.G.S. as a minimum for conceptual planning)
12. Enough grading information to show cuts and fills, drainage flow, and to indicate slopes steeper than 30%
13. Preliminary landscape plan that conceptually represents the design intent of landscape features. This includes canopy trees, shrub masses, bedlines, lawn areas, hedges, screening, etc.
14. Identify existing trees 12" in diameter or greater within the area to be disturbed. Note trees to be saved or removed.
15. Show setbacks as required by county or subdivision regulations.
16. Indicate major views to and from the property.
17. Indicate approximate distance and direction to neighboring buildings on adjacent properties.
18. Proposed fencing of pastures and other areas. Include fence specifications.
19. Identify significant environmental features such as ponds, creeks, steep slopes, bogs, specimen trees, etc. and note any proposed impacts.
20. Submit \$100 application and review fee.

B. Final Plan Submittal (Required)

Final plans and supporting information shall be submitted to the Architectural Review Board for their review and shall include the following information:

1. Date
2. Name and address of owner
3. Name and address of each designer
4. Survey plat of property - recorded developer's plat received by the buyer at closing
5. Building plans of all floors and exterior elevations at $\frac{1}{4}'' = 1'$.
6. Square footage calculations
7. Details of significant architectural features
8. Material samples or adequate descriptions of roofing, siding, brickwork, stonework, driveway, etc. as well as color selections.
9. Site plan at a minimum of $1'' = 20'$ showing final locations of all proposed structures and other features.
10. Grading information including existing and proposed contours, drainage flow, piping systems, and storm water management controls. Storm water flow to adjoining property should be maintained at pre-developments rates using detention basins, level spreaders and other best management practices.
11. Soil erosion control measures during construction. This may include silt fencing, sediment traps, revetments, stabilization blankets, etc. Note that soil disturbance in excess of one acre will require a soil erosion control permit from the North Carolina Department of Environment and Natural Resources (NCDENR). Call their regional office in Asheville for further information at (828) 296-4500.
12. Indicate proposed underground utilities.
13. Note mail box location on plan.
14. Note building height and roof slopes.
15. Any additional support documentation from local, state, or federal regulatory agencies. This may include permits from NCDENR, USACE, Polk County, etc.
16. Conform to all applicable building codes.
17. Submit \$100 application and review fee.

C. Final Landscape Plan Submittal (Required)

Prior to the completion of structures a final landscape plan shall be submitted. It should include the following:

1. Planting plan showing proposed trees, shrubs, and other vegetative material. Plan should include location, size, species, quantity, etc.
2. Outdoor lighting including location, height, and potential impact on adjoining properties.
3. Permanent measures for soil erosion control and soil stabilization.
4. Submit \$100 application and review fee.

D. Architectural Review Procedure

1. Include a cover letter with plan submittal outlining which approvals are being applied for as well as any other support information that may be helpful.
2. Submit 2 sets of plans as required by the covenants and 1 set of material samples.
3. Plans may be prepared by reputable architects, architectural designers, landscape architects, or building contractors.
4. Provide a schedule outlining a timetable for construction and occupancy.
5. The Architectural Review Board shall meet monthly or as needed. The Architectural Review Board generally responds within 15 days of receipt of the submittal package.
6. Once plans are approved by the ARB they are binding on the property owner and his contractor and shall not be changed without Architectural Review Board approval.
7. Plans shall be submitted to Travis Oates LLC 3737 Howard Gap Road Hendersonville, NC 28792
8. If an unforeseen natural condition requires a change during construction, the Architectural Review Board shall be contacted for approval of any changes. These requests will be promptly met. The Architectural Review Board shall, however, have one month to respond if circumstances require.
9. If the property owner wishes to change the plans for any other reason during construction, the full Architectural Review Board will act on the request.

E. Architectural Review Board Actions

The Architectural Review Board may make any of the following decisions:

1. Approve
2. Approve with modifications
3. Disapprove (deny) with reason.

F. Available Remedies

Should the Architectural Review Board deny approval of a submitted plan, the applicant can seek one or all of the following remedies:

1. Appeal to the Architectural Review Board .
2. Appeal to the full Association Board of Directors

5. Summary

The Farms at Mill Spring is an exceptional equestrian community surrounded by outstanding natural beauty. It is the intent of this document to guide homeowners, designers, and builders to make good land use and design decisions that will allow for a high standard of environmentally sensitive development.

If you have any questions regarding the material outlined in this brochure or the restrictive covenants, please contact the chairman of the Architectural Review Board of The Farms at Mill Spring.

