

BREAKAWAY VILLAGE **APPENDIX E. DESIGN REVIEW APPLICATIONS SMARTCODE**
WOLF LAUREL, NORTH CAROLINA

DESIGN REVIEW POLICIES

Function of the Breakaway Architectural Review Committee (BARC). To ensure architectural harmony and adherence to the Village Code by all property owners. No structure or improvement shall be erected or altered until the approvals described in this document have been obtained.

Scope of Responsibility. BARC will review all improvements, including alterations and modifications to structures (even after initial construction is complete). Approval by BARC does not relieve an owner of the obligation to obtain government approval(s).

Limitations of Responsibilities. BARC reviews are for aesthetic purposes only. BARC does not assume responsibility for:

- Structural adequacy, capacity, or safety features.
- Non-compatible or unstable soil conditions, erosion etc.
- Compliance with building codes, safety requirements, and governmental laws, regulations or ordinances.
- Performance or quality of work of contractors.

Administration. BARC is appointed by the developer. BARC may appoint an administrator to handle the day-to-day responsibilities of processing applications. BARC will review applications as they are received. Review fees will be established by the developer.

Review Policies. BARC reviews the application and either grants approval, grants approval with conditions, defers the application or denies approval and returns one set of documents with comments. The owner shall be notified of the decision of BARC within thirty days. If BARC does not contact the owner within forty-five days, the application shall not be deemed "approved". BARC shall defer approval if the application is incomplete.

Compliance Fee. A Architectural Review Committee Fee of \$750 per lot is required for new construction. A review fee of \$300 is required for post-occupancy alteration or modifications. A refundable compliance deposit of \$1000 per lot is required from the owner for proposed improvements. All review fees, and compliance deposit, checks shall be made payable to Breakaway Development, L.L.C., and will be held by the developer until the improvements pass the Field Inspection and a Letter of Compliance has been issued by BARC. Full compliance will result in the return of the deposit. If the deposit is used to repair, replace, or clean up common areas that are damaged due to construction activities or to bring the improvements into compliance with the approved application, the owner will be notified forty-eight hours prior to the use of the deposit to allow the owner a final opportunity to rectify the problem.

Construction Observation & Enforcement. Periodic observations may be made by BARC to verify compliance of the improvements with the approved applications. To ensure compliance, BARC is empowered to enforce its policies as set forth in The Village Code, including action in a court of law. Should a violation occur BARC has the right to an injunctive relief which requires the owner to stop, remove, and/or alter any improvements in a manner that complies with The Village Code.

Waivers. BARC reserves the right to waive some or all of the requirements of The Village Code for any proposed improvement(s).

Breakaway ARC receives submittals and other communications at:

Address: 94 Anderson Street, Mars Hill, NC 28754

Phone: 828.851.8600

E-mail: arc@BreakawayNC.com

