

ARCHITECTURAL GUIDELINES FOR CANAAN MOUNTAIN RESORT/NORTH LAKE I, II, III AND IV

Articles VI and XI of Declaration of Common Interest Community for North Lake I, II, III and IV provides general guidelines for the submission and approval of lot improvements at North Lake I, II, III and IV. A brief description of these guidelines along with North Lake Architectural Committee guidelines are contained herein.

Building Restrictions:

- 1) No structure of any kind will be commenced, nor shall the exterior appearance be altered, nor shall any trees over 4" be removed without prior written consent of the Architectural Committee.
- 2) Specifications showing the nature, kind, shape, dimensions, materials, floor plans, color scheme, location, exterior plans and details, paving plan and location, landscaping details, proposed topographical changes, construction schedule, and names of the parties performing the work must be submitted and approved by the Architectural Committee prior to construction.
- 3) All dwellings must have a minimum square footage of fifteen hundred (1,500) square feet of living area excluding basements, garages, porches, and decks. A minimum of nine hundred fifty (950) square feet of living space must be provided on ground/main floor.
- 4) No manufactured housing will be permitted in North Lake I, II, III or IV. Modular constructed housing will be acceptable provided it meets or exceeds BOCA Basic Building Guidelines, BOCA Basic Plumbing Codes and BOCA Basic Mechanical Codes.
- 5) Construction trailers or temporary construction buildings must be approved in writing by the Architectural Committee prior to being placed on a lot or within the property.
- 6) All exterior construction including grading and landscaping must be completed within one year from the commencement of construction.
- 7) The Architectural Committee will have thirty (30) days from submission of plans to review and approve or disapprove of said design and location in writing. In the event that the Architectural Committee fails to act on said plans and specifications within thirty (30) days then approval will not be required and this article will be deemed to have been fully complied with. Review of architectural plans will be held approximately on the 1st and 15th of every month.
- 8) No above - ground fuel tanks are permitted.
- 9) Driveway culvert must be at least 20 feet long and scaled to handle water flow.
- 10) A porta-john must be at construction site for use of workers.
- 11) Public water is available to each lot. Public sewer is available to those lots that do not have approved septic fields.

Committee Criteria:

- 1) The Architectural Committee shall consider plans and specifications on the basis of, among other things, external harmony and location in relation to surrounding structures and topography, the nature and durability of materials, quality of workmanship choice of colors and materials, grade elevations and/or drainage, the ability of the party designated to complete the work proposed in accordance with the plans and specifications submitted.
- 2) The Architectural Committee may consider factors of public health and safety and the effect that the proposed work will have on the use, enjoyment, value and views of neighboring properties and suitability of the proposed improvements or alterations with the general esthetic values of the surrounding area.

Disapproval of Plans:

- 1) In any case where the Architectural Committee disapproves or approves with modifications the plans and specifications, such disapproval or qualified approval shall be accompanied with a statement in writing on the grounds upon which such action was based.

- 2) The Architectural Committee will assist and advise the applicant in order that an acceptable proposal can be submitted.
- 3) The Architectural Committee's final decision is binding.

Approval of Plans:

- 1) The applicant will submit two sets of plans with elevations of all exterior walls and specifications. Upon approval, the Architectural Committee will retain one copy and the other will be returned bearing approval in writing to the applicant.

Non Approved Structures:

- 1) If any structure is altered, erected, placed or maintained upon any lot, or any new use commenced on any lot, in violation of the provisions hereof, such structure or new use shall be removed or discontinued.
- 2) If the Owner of the lot does not take reasonable steps to remove, or discontinue such violation within fifteen (15) days after notice from the Board of Directors, the Association shall have the right to enter upon the lot and to take such steps as necessary to extinguish such violation and the cost thereof shall be binding personal obligation of the lot Owner, and as additional assessment, on the lot.

Completion of Construction:

- 1) The Architectural Committee upon request of the applicant shall issue a Certificate of Completion upon completion of any structure identifying such structure and lot provided that completion of the improvements complies with the provisions hereof.

Examination Fee:

- 1) The Architectural Committee may charge and collect a fee of \$50 for the examination of plans and specifications. Payment shall be required when plans are submitted.
- 2) If fees are collected such fee will be retained by the Association. The Architectural Committee shall not be compensated unless specifically approved by the members.

Declarant Exemption:

- 1) The provisions of Article VI do not apply to the Declarant or any improvements made by the declarant on any lot or within the property.

Architectural Committee Rules:

- 1) The Architectural Committee may adopt and promulgate reasonable rules and regulations regarding the administration interpretation and enforcement of the provisions of Article VI to the extent of its functions hereunder.

Conditional Approval:

- 1) The Architectural Committee may impose any appropriate conditions or limitations as they deem advisable under circumstances of each case upon granting any permit, authorization, or approval.

Signature of acceptance

**STRUCTURE TYPE, SIZE, SITE PLAN, AND SET-BACKS
FOR CANAAN MOUNTAIN RESORT/NORTH LAKE I, II, III, AND IV**

General Guidelines that the Architectural Committee will follow:

- 1) A scaled detailed site plan showing the dwelling driveway, decks, porches, sewage disposal system, walkways and other site improvements must accompany all plans and specifications. If the property will be serviced by a septic system, the site plan should include the location of the septic system and back up areas as approved by the Tucker County Health Department. If construction will disturb any areas included in the septic area shown on the site plan it will be necessary to include approval from the Tucker County Health Department of such changes prior to approval of plans.
- 2) No structure shall be erected, altered, placed, or permitted to remain on any lot other than (1) detached single family dwelling not to exceed with basement level three and one-half stories in height; (2) a private garage for not more than three vehicles; and (3) other structures appurtenant to the dwelling or to be used in connection therewith.
- 3) No manufactured housing will be permitted. Modular constructed housing will be acceptable provided it meets or exceeds BOCA Basic Building Guidelines, BOCA Basic Plumbing Codes and BOCA Basic Mechanical Codes.
- 4) Structures such as, but not limited to fences, outbuildings, non attached garages, permanent swimming pools, private tennis courts, etc are not suggested and should not be planned by the applicant.
- 5) Approved exterior construction materials shall be of natural materials or an approved substitute, excluding but not limited to roofing, windows, doors, gutters and downspouts, foundation materials, lighting and soffit and fascia. Vinyl or aluminum siding will not be approved.
- 6) All exposed foundations/block greater than 16 vertical inches must be covered with veneer stone, stucco, wood siding or other approved treatments. Parged foundation will not be approved.
- 7) Natural earth tone colors are required on all exterior structures. The Architectural Committee must approve color schemes prior to staining and/or painting.
- 8) No roof pitch shall be less than eight (8") inches for every foot of horizontal distance measured from the centerline of the dwelling to the eaves. Porch and dormer roofs will be reviewed separately.
- 9) No outside radio or television antennas, or similar items, shall be erected or installed on any lot, except with the written permission of the Association, other than dishes 18" in diameter or smaller.
- 10) If planning to pave the driveway, tar and chip with stone colors of similar nature to the completed roadways are required.
- 11) Construction may not commence on any lot without a building permit from the appropriate regulatory agencies in Tucker County.
- 12) Trash, unused construction materials, debris and unsightly accumulations shall be cleared of the lot regularly during construction periods. The Architectural

Committee shall have the right to require a deposit or impose fines for the cleanup and removal of the same during construction period.

- 13) Canaan Mountain Resort/North Lake I, II, III and IV are zoned residential: commercial use including but not limited to maintaining an office, must have approval from the appropriate governmental authority and the North Lake Board of Directors except that the Declarant may use any lot as a model home for sales, management and/or construction offices.
- 14) All dwellings erected at North Lake I, II, III or IV shall be single family. No apartments or duplexes, or multi-living dwellings of any kind shall be permitted. No Bed and Breakfast operations are allowed. This rule does not apply to the declarant on areas that may be designated as multi-family use.
- 15) Any dwelling erected at North Lake I, II, III or IV shall maintain twenty (20') foot front and rear setbacks. Sideline setbacks are fifteen (15') feet. Any dwelling erected on lake front lots will be placed at least one (1') foot above dam elevation. No structures other than decks should be permitted within thirty (30') feet of normal level shoreline. Other structures erected on a lot in North Lake I, II, III and IV must comply with local zoning standards and be approved by the Architectural Committee prior to commencement of construction. It is required to have a location survey of the proposed improvements by a licensed surveyor performed prior to construction. Zoning may not grant a variance for setback violations.
- 16) No lot may be subdivided.

APPLICATION FOR CONSTRUCTION AND/OR ALTERATION.

Submitted on _____, 20__.

Dear Architectural Committee:

Please accept the enclosed plans for construction/alteration to lot # _____. The plans include a scaled detail site plan, floor plan, and specifications.

Exterior Siding Material: _____

Exterior color(s) (provide sample) _____ Trim _____

Exterior Foundation Material: _____

Exterior Foundation finishing: _____

Roofing Material (minimum 25 year architectural) _____ Life Exp. _____

Soffit & Facia Material _____

Soffit & Facia Color (provide sample) _____

Gutters and Downspout color (provide sample) _____

Fireplace and/or Flue Exterior Materials _____

Fireplace and/or Flue Colors (if Not Stone) _____

Windows: Type (provide info.) _____ Color _____

Exterior Door (s) color (provide sample) _____

Garage Door Material: _____

Describe decking and/or porch details: _____

Describe lot improvement and landscaping plans: _____

Describe planed driveway, walkways and exterior detached lighting if any: _____

I/we the undersigned agree to comply with Article VI of the Declaration of Canaan Interest Community including Restrictions and Covenants North Lake Homeowners Association and adhere to the additional guidelines as set forth by the Architectural Committee. I understand that architectural approval by the Architectural Committee in no way relieves me or my contractor from compliance and necessary approvals from applicable governmental authorities, including, but limited to Canaan Valley Planning and Zoning, The Tucker County Health Department, Storm Water Management, The Tucker County Assessment Office, The West Virginia Fire Marshall. I further understand that submitted plans have not been reviewed for structural soundness, and that the North Lake Architectural Committee assumes no responsibility for actual building techniques and standards.

Owner or Authorized Agent

Date

Owner or Authorized Agent

Date

Date received _____

Approval _____ Conditional approval _____ Non approval _____

1) _____

Date

2) _____

Date

3) _____

Date

4) _____

Date

Reason for conditional approval or non approval _____

