

Red Fox Run POA.
P.O. Box 194 Tryon NC. 28782.

Members of the Red Fox Run Property Owners Association Inc.:

Attached are revised Architectural Review Committee (ARC) guidelines which have been amended in accordance with the Declaration of Restrictions dated October 8, 2018, and the current bylaws of the Red Fox Run Property Owners Association Inc. (RFRPOA).

These revisions were developed by the ARC and approved by the Board of Directors of the Association and shall be adhered to as specified herein.

The effective date of these revisions is February 25, 2023

This is a complete revision, so please read completely as penalties for noncompliance have been increased.

The revised guidelines are now on the website. (www.redfoxpoa.net), under the information tab, and will be affective with any new construction request made by owner after February 25, 2023

If you have questions, please refer to the ARC guidelines on the website, under the information tab. Go to the contact page and leave a message and we will respond.

Thank you,

Architectural Review Committee.
Bill Cheek/chair

ARC Guidelines

The Architectural Review Committee (ARC) reserves the exclusive power and discretion to control and approve all of the buildings, structures, and other improvements on each lot in the manor set forth herein, refer to the Declaration of Restrictions for the Red Fox Run Property Owner's Association, Inc. (Declaration).

The ARC's primary purpose:

- The further ensuring of the continued development of the property as a residential area of highest quality and standards.
- Ensure that all improvements on each lot shall present an attractive and pleasing appearance from all sides, and from all points of view.
- To preserve conformity and harmony of external design and materials, and location with respect to topography and finished ground elevation,

No residence of other building, and no fence, wall, utility yard, driveway, swimming, pool, or other structure or improvement, regardless of size or purpose, whether attached to, or detached from the main residence, shall be commenced, placed, erected, or allowed to remain on any lot.

The following plans and specifications may be required to be submitted to the ARC for any addition to or exterior changed, or alteration thereto be made, unless, and until building plans and specifications, covering the same. This may include but not limited to:

- Showing the nature, kind, shape, height, size, materials, floorplans, exterior color, scheme with paint, samples,
- Locations and orientation on the lot.
- The approximate square footage, construction schedule, on site
- Sewage, and water facilities.
- Other information as the ARC shall reasonably require.
- If so required, plans for the grading of the lot as the ARC shall reasonably require.
- If so required, plans for the grading of the lot showing any proposed changes in the elevation or surface contour of the land must be submitted to and approved in writing by the ARC.
- A copy of all such plans and specifications, as finally approved by the ARC will be permanently lodged with the ARC, and the Red Fox, Run Property Owners Association, Inc. (Association)

The Association shall have the absolute and exclusive right to refuse to approve any such building plans and specifications, lot grading, and landscaping plans, which are not suitable or desirable in its opinion for any reason, including those of aesthetic nature.

Continued on next page.

ARC Guidelines, Continued

In passing such building plans and specifications, lot grading, and landscaping plans, the ARC may take into consideration the suitability and desirability of the proposed construction. This includes:

- The same materials that are proposed to be used during construction on the lot,
- The quality of the proposed, workmanship and materials,
- The harmony of external design with the surrounding neighborhood and existing structures therein,
- The effect and appearance of such constructions as viewed from the neighboring properties.

Such building plans and specifications shall be prepared for the specific use of the property owner submitting the same, and shall consist of not less than the following:

- Foundation plans, floor plans of all floors, section details, elevation, drawings of all exterior walls, roof plan,
- Lot plan showing the location and orientation of all buildings and other structures and improvements proposed to be constructed on the lot.
- All building restriction lines shown.
- In addition, there shall be submitted to the ARC for approval of all samples of exterior building, materials and colors proposed to be used in the construction of any such improvements.

Date_____ Initial_____

Construction Package

Prior to the start of construction, the following items are to be provided to the ARC for approval as part of a construction package.

- All building plans and specifications.
- Building plans and specifications to include: all exterior elevations, foundation, plans and roof plan.
- Description of all exterior materials.
- Samples of all exterior materials.
- Samples of all exterior color schemes.
- Site plan, showing the location and dimensions of the home, lot, dimensions, restriction, lines, and setbacks to the home.
- Landscape Plan must be submitted to ARC within 60 days of commencement of construction. Failure to provide such plans will result in a penalty of \$200.00.
- If so required, plans for the grading, showing any proposed changes to the elevation or surface contour of the lot shall be provided.

Please refer to page 5 of this document for construction guidelines.

Date_____ Initial_____

Exterior Materials and Colors

All exterior materials and colors of homes and other structures to be built at Red Fox Run must be approved by the ARC. The following exterior materials will be approved by the ARC:

- Brick
- Stone
- Stucco
- Cement Board
- Wood

Exterior surfaces consisting of vinyl siding or vinyl shingles on any new home or other structures to be built will not be approved. Vinyl clad windows and vinyl soffits may be allowed with prior written approval from the ARC.

House Colors

Any change to existing house color, needs ARC approval, failure to comply will result in an imposed penalty of \$2,000.00.

Exterior Decks and Porches

The area below all exterior decks and porches will be enclosed with lattice work or another approved material. The location and size of all exterior decks and porches, and the materials used will blend with the home and surrounding environment and require prior written approval by the ARC.

Driveways

All driveways shall be required to be hard surface of concrete or asphalt or another surface approved by the ARC. Refer to article X section 6 of the Declaration.

Above Ground Propane Tanks

All exterior propane tanks shall be buried. Refer to article XI, section 4 of the Declaration. An exception will be made for propane tanks of 100 gallons or less to be installed above ground. The location will be next to the home and approved by the ARC. The tank will be enclosed with lattice work or another approved material and match the exterior of the home.

Political/Commercial Signage

Political signs, supporting candidates, and/or issues no more than 24" x 24" may be displayed on owner's lot no more than 45 days prior to an election and must be removed no more than 7 days after the election in compliance with NC State law 47F-3-121. 7 days for commercial signage also applies.

Date_____ Initial_____

Fences and Sheds

All fences and sheds and their locations and materials must be approved by the ARC. What has been approved has been a horizontal three board wooden fence that requires staining.

- Any type of fencing and color must be approved by the ARC.
- The maximum height of any fence is not to exceed 48 inches.
- Any completely exposed fence may be required to have approved landscaping for screening purposes. Refer to article XI, section 1 of the Declaration for required setbacks.
- Also refer to article XI, section 3 of the Declarations as to site lines and fences.
- All gates for fencing shall match the fence and be constructed of the same material as the fence, any wire will be placed on the inside of any fence.
- Under no circumstances will a chain link fence be constructed within Red Fox and a penalty of \$2,500.00 will be imposed for any unauthorized fence.
- The area between the ground and the floor on the exterior of the shed will be enclosed with latticework to match the color of the shed or trim or another approved material.

Lot Clearing

In order to retain and enhance the natural beauty of the property and to provide shade and screening for adjoining property owners, no clear cutting or the removal of any tree, with a circumference greater than twenty-four (24) inches, measured not more than (3) feet above ground level outside the dwelling and driveway footprint may be done without the prior written approval of the ARC. All clearing must comply with article X, section 10 of the Declaration concerning native growth.

Setbacks

No home site shall be located on any lot closer than (50) feet from the edge of the Association roadway and (25) feet from other private property, lake, or stream. All setbacks will be in compliance with article IX. Section 1 of the Declaration.

Date_____ Initial_____

Construction Guidelines

Owners will provide a survey of the property with placement of house, well, septic, drain field, and driveway before commencement of construction.

Prior to Commencement:

- All ARC guidelines, as required on Page 1, and the construction package on Page 2, must be submitted and approved by the ARC prior to the start of construction or renovation.
- Proper sanitary facility, provided by owner / builder, placed on property.
- Construction dumpster to be placed by owner / builder.
- Construction entrance, or driveway, from road, shall be constructed using 3" small surge stone, and off-road delivery and parking area shall be constructed on the property.
- No construction parking allowed on any of the Association's Roads.
- The ARC will decide if a culvert is required and the size of culvert to be placed under driveway/ entrance for drainage.
- Several methods of erosion control, including but not limited to: silt fencing, straw bales, and matting, necessary to control sediment run off onto adjacent properties, or Association's Roads, shall be installed.
- No work on property can commence until this agreement is signed by owner, builder, and the Association.

During Construction:

- No construction parking allowed on Association Roads.
- Jobsite to be kept clean, with debris picked up daily, and placed in dumpster.
- Association's Roads and adjacent properties to be protected from drainage, silt, mud, and clay runoff. Culverts and swales will be installed before, and during, clearing and construction. Any damage that occurs during construction is the owner's responsibility.
- Removal of any run-off, or track out, onto roads to be cleaned daily.

Date_____ Initial_____

Builder_____ ARC_____

Acceptance

The Architectural Review Committee (ARC) has the responsibility to approve or reject any builder or contractor, based on previous issues or concerns that may have occurred with said builder in the Red Fox Run Community.

These rules and guidelines are accepted by the property owner(s) of the said property, who shall be members of the Red Fox Run Property Owner's Association Inc. (RFRPOA). The owner(s) shall be responsible for compliance with the ARC Guidelines, and the Declaration of Restrictions for the Red Fox Run Property Owners Association Inc. during any and all construction issues.

The builder acknowledges receipt and agreement with the guidelines as spelled out in this document entitled ARC Guidelines.

Owners have the right to appeal the ARC decision by notifying the RFRPOA Board of Directors by emailing us at: poa@redfoxpoa.net. This link is also found on the contact section of our website: www.redfoxpoa.net.

The ARC reserves the right to amend these Guidelines as necessary.

Lot # / Address_____

Owner_____ Date_____ Signature_____

Owner_____ Date_____ Signature_____

Builder_____ Date_____ Signature_____

Approved by ARC and Association: _____

Date_____. Signature_____

Compliance Deposit

As established in Article XI, Section 18 of the Declaration, an Owner Compliance Deposit of \$5,000.00 is due prior to any commencement of work.

Return of the compliance deposit will be refunded upon 100% completion of the residence, site work and landscaping. The owner will notify the ARC of this status and formally request a compliance inspection, seeking refund of the deposit,

Any violation of the ARC Guidelines, resulting in fines being levied, will be deducted from the \$5,000.00. If there have been no violations resulting in fines, the deposit money will be refunded to the owner within thirty (30) days.

The following items will be inspected prior to the refund of the Compliance Deposit.

- Landscape and driveway completed per plan.
- Home design completed per plan.
- Exterior materials, colors and finishes completed per plan.
- Proper drainage
- Restoration of roadways.
- Construction debris removed and any damage to adjacent properties, including POA roads and drainage features be repaired.
- Erosion control methods and stabilization of the lot.

Date _____

Owner Initial _____

Date _____

Builder Initial _____

Schedule of Penalties

The following is a schedule of penalties that may be imposed for failure to remedy an ARC Guideline, or Declaration of Restriction violation. Refer to Article VII, Section 3 of the Declaration.

These penalties will be deducted from the Compliance Deposit of \$5,000.00 as described on page 6 of these guidelines. Liens may be placed and enforced as per Article VIII of the Declaration.

Any notice to owner/builder must be corrected in the time frame on this schedule:

- Type “A” violations must be remedied within 24 hours.
- Type “B” violations must be remedied within 48 hours.
- Other violations must be remedied within 30 days of occupancy.

TYPE “A” VIOLATIONS

No dumpster	\$200
Burning construction debris without a permit	\$200
Littered site	\$200
Missing or no erosion control*	\$600
Parking in road / right of way	\$200
Parking on, or in front of adjacent property	\$200
Building materials or equipment on roadway	\$200

TYPE “B” VIOLATIONS

No temporary job toilet.....	\$200
Building materials or equipment on, or in front of adjacent property	\$200
Unauthorized removal or destruction of trees	\$600
(SEE CLEARING OF LOT PAGE 4)	
Unauthorized exterior plan change**	\$5,000
Home not completed within 1 year from start	\$200

Continued on next page

Schedule of Penalties, Continued

TYPE "OTHER" VIOLATIONS

Erosion run-off/build up on adjacent properties\$400 minimum or repair cost

Damage to small trees, vegetation, or natural areas\$200

Damage to road /right of way\$200 minimum or repair cost

If not remedied within the allotted time frame additional penalty/penalties may be assessed. The ARC reserves the right to hire a third-party vendor to correct violation/violations if not remedied in a timely manner and back charge owner:

* ARC reserves the right to direct the installation of erosion control measures, including silt fencing, at the owner's expense. Other methods of erosion control which may be needed are listed on page 5 of these guidelines.

** This penalty is separate from the Compliance Deposit. The Association will send written notification of violation. If not remedied, this amount is in addition to the compliance deposit.

Date _____ Initial Owner(s) _____

Date_____ Initial (Builder) _____