

**RESIDENTIAL CONSTRUCTION IN  
THE VILLAGE OF SUGAR MOUNTAIN:**

**THINGS YOU NEED TO SUBMIT WITH APPLICATION**  
PLEASE ALLOW THIRTY (30) DAYS FOR SUBMISSION PROCESS

**1) IDENTIFY YOUR ZONING DISTRICT**

	<b>R-1</b>	<b>R-2</b>	<b>R-3</b>	<b>R-4</b>
	<b>SINGLE (Low)</b>	<b>SINGLE (Medium)</b>	<b>MULTI-FAMILY</b>	<b>RESIDENTIAL ESTATE</b>
A) Minimum Lot.....	1 acre	.4 acre	1 acre	3 acres
B) Density .....	1 acre	2.5 acres	4 acres	.33 acre
C) Setbacks:				
Front.....	30 ft.	30 ft.	30 ft.	60 ft.
Rear.....	25 ft.	25 ft.	25 ft.	60 ft.
Side.....	20 ft.	15 ft.	20 ft.	50 ft.
D) Maximum Height .....	35 ft.	35 ft.	35 ft.	35 ft.
E) All homes must be a total of 1400 square feet of living space with 1000 square feet being on the primary level.				

**2) REQUIRED MATERIALS:**

- A) Completed Zoning Compliance Permit for Building (Must have site map and building plans to accompany permit)
- B) Building Plans (Square footage must be listed separately as heated space and unfinished space)
- C) Accurate site plan “Survey” including:
  - 1) Property lines and corners
  - 2) Building set-back lines and required yard areas
  - 3) Existing buildings or structures
  - 4) Utility easements, rights-of-way, culverts, and drainage ways
  - 5) Location of all utility lines or other utility facilities
  - 6) Shape, size, use and location of proposed buildings and structures to be constructed, erected or altered
  - 7) Location of any land clearing, or tree removal (must maintain 20% tree canopy on lot)
  - 8) Listing of building materials and paint colors
  - 9) Any other information that may be required by Zoning Administrator
- D) The Zoning Administrator will conduct a site visit. The following will be needed prior to visit:
  - 1) All property corners clearly marked
  - 2) The location of the proposed structure clearly marked
  - 3) All trees being removed that are not in areas designated for structures, driveways, or those necessary for installing utilities.

**5) ARCHITECTURAL REVIEW GUIDELINES (Attached)** – Review guidelines and sign last page and return with Zoning Compliance for Building application.

**6) CONSTRUCTION BOND (Attached)** - Once the zoning compliance permit for building is approved and before construction can begin, a cash construction bond made payable to the Village in the amount equal to \$1.00 times the square footage of the building or structure including porches, decks and decking is needed.

**If you have any questions, please contact the Village Manager or  
Assistant Zoning Administrator at 828-898-9292**

PERMIT # LCP- \_\_\_\_\_

**ZONING COMPLIANCE PERMIT FOR LAND CLEARING - \$35.00**  
**(MUST MAINTAIN A 20% TREE CANOPY ON LOT)**

A PRELIMINARY SKETCH OF TREE REMOVAL PLAN IS REQUIRED

Name of Contractor: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone: \_\_\_\_\_ Contact Person: \_\_\_\_\_

Name of Owner: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone: \_\_\_\_\_

LOCATION OF SITE: Lot # \_\_\_\_\_ Physical Address: \_\_\_\_\_

USE OF LAND:  Residence  Business (Type: \_\_\_\_\_)

Submittal of a tree removal plan is required. All lots within the Village limits and extra territorial jurisdiction must maintain a 20% tree canopy. Clearing must begin within six (6) months after the date of issuance of this permit or the permit becomes null and void. The Village of Sugar Mountain must be notified of any oversized vehicles traveling upon Village roads. Permittee and/or property owner shall be responsible for the removal of mud and debris as well as all damages to Village roads. **A 15"-18" culvert should be provided for driveways.**

\_\_\_\_\_  
Signature of Applicants

\_\_\_\_\_  
Date

**\* Zoning Administrator Use Only \***

Zoning District: \_\_\_\_\_

Front Setback: \_\_\_\_\_ feet

Parcel No.: \_\_\_\_\_

Side Setback: \_\_\_\_\_ feet

Preliminary Sketch of Plans Provided?  Yes  No

Rear Setback: \_\_\_\_\_ feet

Zoning Administrators Ruling: \_\_\_\_\_

Fee Paid \$ \_\_\_\_\_ Date \_\_\_\_\_ Check No. \_\_\_\_\_

\_\_\_\_\_  
*Signature of Zoning Administrator*

\_\_\_\_\_  
*Date*

PERMIT # ZCP- \_\_\_\_\_

## ZONING COMPLIANCE PERMIT FOR BUILDING

### A PRELIMINARY SKETCH OF PLANS IS REQUIRED

Name of Contractor: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone: \_\_\_\_\_ Contact Person: \_\_\_\_\_

Name of Owner: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone: \_\_\_\_\_

USE OF BUILDING:  Residence  Business (Type: \_\_\_\_\_)

New  Remodeled  Additions

LOCATION OF SITE: Lot # \_\_\_\_\_ Physical Address: \_\_\_\_\_

Estimated Cost of Building \$ \_\_\_\_\_ Total Sq. Ft. \_\_\_\_\_ Height of Structure \_\_\_\_\_  
\_\_\_\_\_ Sq. Ft Primary Level \_\_\_\_\_ Heated Sq. Ft \_\_\_\_\_ Unfinished Sq Ft.

This structure is to be erected or altered in accordance with the Ordinances of the Village of Sugar Mountain, NC and the North Carolina Building Code. Construction must be started within six (6) months after the date of issuance of this permit or the permit becomes null and void. The Village of Sugar Mountain must be notified of any oversized vehicles traveling upon Village roads. Permittee and/or property owner shall be held responsible for the removal of mud and debris as well as damages to Village roads.

\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
Date

### \* Zoning Administrator Use Only \*

Zoning District: \_\_\_\_\_

Front Setback: \_\_\_\_\_ feet

Parcel No.: \_\_\_\_\_

Side Setback: \_\_\_\_\_ feet

Preliminary Sketch of Plans Provided?  Yes  No

Rear Setback: \_\_\_\_\_ feet

Zoning Administrators Ruling: \_\_\_\_\_

Fee Paid \$ \_\_\_\_\_ Date \_\_\_\_\_ Check No. \_\_\_\_\_

\_\_\_\_\_  
Signature of Zoning Administrator

\_\_\_\_\_  
Date

**VILLAGE OF SUGAR MOUNTAIN**

251 Dick Trundy Lane ~ Sugar Mountain ~ North Carolina ~ 28607 ~ Tel: 828-898-9292

**CONSTRUCTION BOND**

Name of Contractor: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone: \_\_\_\_\_ Contact Person: \_\_\_\_\_

Name of Owner: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone: \_\_\_\_\_ Anticipated Completion Date: \_\_\_\_\_

LOCATION OF SITE: Lot # \_\_\_\_\_ Physical Address: \_\_\_\_\_

**ZONING ORDINANCE SECTION 1103.1 AND 1103.5**

**1103.1** A cash compliance bond made payable to the Village in the amount equal to \$1.00 times the square footage of the building or structure including porches, decks and decking.

**1103.5** If no substantial construction progress has been made within six (6) months of the date of issuance of the certificate of zoning compliance, or if the work authorized is suspended for a period of (12) months or if the exterior construction or work is not completed within twenty-four (24) months of issuance of the Certificate of Zoning Compliance for Building, the Certificate for Zoning Compliance for Building becomes invalid and terminated and the cash compliance bond is forfeited to the Village.

\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
Date

Construction Bond Received \$ \_\_\_\_\_ Date \_\_\_\_\_ Check # \_\_\_\_\_

Bond Received By: \_\_\_\_\_

**Reserve for Office Use Only - Outside of home must be completed within twenty-four months for Refund.**

Date Bond Refunded: \_\_\_\_\_

Village Authorized Signature: \_\_\_\_\_

## VILLAGE OF SUGAR MOUNTAIN ARCHITECTURAL REVIEW GUIDELINES

### PURPOSE

The purpose of the Architectural Review Process is to evaluate proposed building, remodeling and landscaping plans to insure adherence to the guidelines, and with the Village of Sugar Mountain Zoning Ordinance.

### ARCHITECTURAL GUIDELINES

Outlined below is a summary of some of the Architectural Guidelines within Sugar Mountain. A permit must be obtained concerning each of these guidelines. This list is not meant to be all-inclusive.

1. **MINIMUM SETBACKS:**

<u>Front Yard:</u>	<u>30 feet (from lot line)</u>
<u>Side Yard:</u>	<u>15 feet (from lot line)</u>
<u>Rear Yard:</u>	<u>25 feet (from lot line)</u>
  
2. **MAXIMUM BUILDING HEIGHT:** 3 Stories not to exceed 35 feet
  
3. **FENCES, GATES, AND PATHS:** Fences may be constructed to a height not to exceed four (4) feet as measured from the ground elevation to the uppermost part of the fence. Fences shall be faced with wood or stone. Chained linked fences are prohibited.
  
4. **EXTERIOR SIDING** (single family dwellings are exempt):
  - (A) Permitted exterior siding is limited to:  
  
Stone, Stucco, Wood, Glass and Products similar to Hardiplank Lap Siding or Shingle Siding
  
  - (B) Prohibited exterior siding materials include but not limited to:  
  
Aluminum, Brick, Fiberglass, and Exposed Concrete Block
  
5. **ROOFING MATERIALS** (single family dwellings are exempt):
  - (A) Permitted roofing materials shall be limited to the following:  
  
Wood, Asphalt, Fiberglass, or Slate Shingles, Glass and Copper or Tin with approved color
  
6. **EXTERIOR PAINT COLORS** (single family dwellings are exempt): All stains, colors and finishes for any structure must be approved by the Zoning Administrator and a sample must be provided before approval.

Glossy finishes are prohibited except on trim surfaces. Bright colors, pastels and day-glow colors are prohibited. Color schemes of homes must be earth tone. (*Earth Tone colors are considered to be any of a variety of rich warm colors with tones of brown*)

7. **TREES:** No live tree six (6) inches or more in diameter as measured twelve (12) inches above the ground shall be cut down without prior approval from the Zoning Administrator. Generally, approval of removal of trees will be granted when:

- (A) Trees are within 20 feet of an area designated for construction;
- (B) Trees are within 5 feet of an approved septic tank or drain field;
- (C) Trees are a hazard to the property owner or adjacent property;
- (D) Trees are diseased or damaged.

Trees will not be topped or trimmed without approval. Clear cutting is prohibited regardless of the size of the trees. Property owners are encouraged to use and ISA Certified Arborist to prune and remove trees. No lot is to be cleared without the issuance of a Zoning and Building Permit.

Trees are an important part of maintaining the natural beauty of our community. As a result, property owners have an obligation to their neighbors and the community to adhere to these guidelines. Property owners who fail to adhere to the guidelines set forth may be required to replant trees as specified by the Zoning Administrator. In addition, in some cases where property owners obtain approval to remove a tree, the Zoning Administrator may require that a tree be replanted in its place.

8. **DRIVEWAYS:**

- (A) Culverts: Where a proposed driveway entrance crosses a ditch line to adjoin an existing road, a pipe culvert with a minimum diameter of 18 inches shall be installed. The replacement of any existing driveway culvert shall require the installation of a metal pipe culvert, 18 inches in diameter.

9. **SOIL EROSION AND SEDIMENTATION:** Individuals conducting land disturbing activities shall take all reasonable measures to protect all public and private property from damage caused by such activity. No person shall initiate any land disturbing activity, which covers more than 40,000 square feet without having an approved erosion control plan. Before any land disturbing activity has begun, a Land Clearing Permit must be obtained at the Village Hall.

10. **STREAMS, CANALS AND DRAINAGE WAYS:** The natural flow of water shall not be interrupted or changed in any manner. If it becomes necessary to divert the flow of a stream on your property due to hardship, approval must first be obtained from the Zoning Administrator. However, a diverted stream must be returned to its original draining way as it leaves your property. The flow of water through streams, canals, and drainage ways affect all property owners. As a result, it is imperative that these areas not be disturbed in any manner.

## PERMITTING PROCESS

The Village of Sugar Mountain enforces the Architectural Standards referred to above through the issuance of an Approval Permit from the Zoning Administrator. All property owners are required to follow the standards referred to above and shall obtain a Zoning Permit prior to undertaking any project that involves these standards. Outlined below is the process to follow in obtaining a Zoning Permit. If no action is initiated within 120 days of issuance of the permit, the permit shall become invalid. Construction may be an inconvenience to neighbors and other property owners of the community. Construction of houses and major additions should normally be completed within 18 months; Construction of secondary buildings, such as garages, should normally be completed within 12 months. The owner should assure that construction proceeds continuously and diligently, without unnecessary delays. If construction is not completed within the applicable time limitation, the owner may be subject to enforcement action as provided in these guidelines. In the event of unforeseen or unavoidable delays, owners should request an extension of time from the Zoning Administrator. If an extension is granted, the Zoning Administrator may require appropriate assurances that construction will be completed within the additional time.

1. An Application for a Zoning Compliance Permit for Building can be obtained from **The Village of Sugar Mountain, 251 Dick Trundy Lane**. Completed applications are to be returned to the Village Hall and will be given to the Zoning Administrator for approval. The Zoning Administrator will have 30 days from the date of the receipt of the application to approve or disapprove. An approved permit will be issued to the property owner. Once a Zoning Permit has been issued, a Building Permit shall be obtained from the Avery County Inspections Office.
2. Prior to the issuance of any Building Permit, a copy of all building plans shall be submitted to the Zoning Administrator.
3. An Application for a Zoning Compliance Permit for Building relating to new home construction or for structural renovations or additions to an existing home shall include the site plans and other documentation accurately showing the following information:
  - (A) Property Lines and Corners;
  - (B) Building setback lines and required yard areas;
  - (C) Existing buildings and structures;
  - (D) Utility easements, right-of-ways, culverts and drainage ways;
  - (E) Location of all utility lines and facilities on the lot including wells;
  - (F) Shape, size, use, and location of proposed building and structures to be erected on the lot, and dimensioned from the property corners and lines;
  - (G) Description of the materials to be used for exterior siding and roofing and a sample and description of the exterior paints to be used;
  - (H) Designation of the trees and areas of natural vegetation, which will be removed or trimmed and which will be preserved and protected during construction;

- (I) Copy of the Avery County Building Permit where applicable;
  - (J) Copy of the Health Department Improvement Permit;
  - (K) Schedule of project.
4. The owner of his/her representative must arrange a meeting at the property site prior to beginning a project in order to review requirements, set backs, tree removal, etc.
  5. Prior to requesting a permit, owners in condominium clusters must first obtain approval of architectural changes from the other unit owners within the cluster. Due to the close proximity that condominium clusters are to each other, exterior features must be consistent.



## VILLAGE OF SUGAR MOUNTAIN BUILDERS RULES AND REGULATIONS

All independent contractors doing business in the Village of Sugar Mountain shall comply with all of the following rules and regulations. It is the responsibility of the property owner to inform the independent contractor of these rules.

1. **Working Hours:** Independent contractors will be allowed to perform work Monday through Saturday, beginning at 7:00 AM, ceasing at 8:00 PM and off the property by 8:30 PM.

**There will be no work performed or any type of deliveries made on Sundays or the following Holidays:**

New Year's Day, Martin Luther King's Birthday, Easter Monday, Memorial Day, Independence Day, Labor Day, Veteran's Day, Thanksgiving Day and the following Friday, and Christmas Day.

2. **Radios:** Radios may be used; However, they must be played so not to disturb adjoining property owners.
3. **Portable Restrooms:** Portable restrooms are required on each site.
4. **Speeding:** The speed limit within the Village is 15 MPH unless otherwise posted. Violators will be ticketed.
5. **Parking:** New construction sites will be allowed a 60-foot entranceway. All construction vehicles and equipment will be parked within the construction site, not along the side of the roadway. Any damage to the road or road shoulder will be repaired by the Village and billed to the property owner.
6. **Worker Attire:** All construction workers will keep their shirts on while working within Sugar Mountain.
7. **Pets:** Pets of contractors, sub-contractors and tradesmen are not allowed within the Village.
8. **Burning:** Burning Permits must be obtained at the Village Hall located at 251 Dick Trundy Lane.
9. **Signs:** All signs will meet the Village's Ordinances.
10. **Job Site:** The contractor is required to keep the job site in a clean and orderly condition at all times.

# The Village of Sugar Mountain Architectural Review Guidelines and Builders Rules and Regulations

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I, \_\_\_\_\_ have read and fully understand the Village of Sugar Mountain's Architectural Review Guidelines and Builders Rules and Regulations presented to me on \_\_\_\_\_. I agree to abide by these guidelines while within the Village of Sugar Mountain city limits.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Village Manager/Village Clerk or Designee