

Declaration of Covenants

The primary purpose of these covenants and restrictions and the foremost consideration in the origin of the same has been the creation of a planned community which is aesthetically pleasing, functionally convenient and environmentally sound; attracting residents seeking privacy and security in a beautiful environment. Beaucatcher Heights is now and shall remain a residential community wherein only single family residences shall be permitted. All open and/or common areas shall be for the exclusive use of the Beaucatcher Heights residents.

Beaucatcher Heights Property Owners Association, Inc.

Every Owner of a Lot shall be a member of the Association and bound by the Declaration of Covenants, the Articles of Incorporation of the Association and its Bylaws and Rules and Regulations.

Design and Development Guidelines

The Design and Development Guidelines are to serve as a minimum set of design principles and standards for the Beaucatcher Heights community. In order to achieve the high quality and desired character of Beaucatcher Heights, these guidelines are to be used by any builder or owner who purchases a lot in Beaucatcher Heights.

As the Developer of Beaucatcher Heights, we have taken great efforts to develop in a way that is in harmony with the existing features of the land, to be a good neighbor with the established Kenilworth residents and to work closely with the City of Asheville. All of this has been done in order to establish a solid foundation for quality development that will lend itself to a desirable neighborhood for individuals and families for generations to come.

Beaucatcher Heights topography varies from virtually level to steep lots, from simple wooded views to lots with what we tout as some of the best views in Western North Carolina. All of our lots have been carefully planned with consideration to building sites and access to roads. With proper planning and following our guidelines, the lots at Beaucatcher Heights can be built upon with minimum disturbance to the natural landscape.

The Architectural Review Committee has the refusal or approval of plans, specifications, or location of any structure. The decision may be based upon any grounds including purely aesthetic considerations. In passing upon construction plans, specification plans, or landscaping plans, and without any limitation of the foregoing, the Committee shall have the right to take into consideration the suitability of the proposed building or other structure, and of the materials of which it is to be built, the site upon which it is proposed to be erected, the harmony thereof with the surrounding and the effect of the building or other structure on the appearance from neighboring property.

Partial List of Minimum Requirements:

- Given the wide range of lot sizes in Beaucatcher Heights, there will be no minimum or maximum floor areas imposed, but the Architectural Review Committee will rule on each individual submission to insure the appropriateness of the design to the site. In no case, however, shall the maximum disturbed area on the Lot exceed fifty-percent (50%) of the total area of the Lot.
- Each principal dwelling is to have at least a two care enclosed garage.
- All driveways and parking areas must be paved asphalt, concrete or other surface approved by the Committee.
- All play equipment shall be paced so that it is not visible from any street. Tree houses are considered structures that require written approval from the Committee.
- No outside clothesline shall be permitted.
- No decorative features such as sculptures, bird baths, bird houses, fountains or other decorative embellishments shall be permitted that are visible from any street unless approved in writing from the Committee.
- The exterior material of all buildings shall extend to ground level and shall be either brick veneer, stone veneer, wood, or combination of same or other material approved by the Committee.
- All fencing must be of wood, brick, stone, wrought iron, or other material approved by the Committee. The use of chain link or other like metal fencing will not be permitted except where concealed by a wood fence and, provided, that said chain link or metal fencing is black, charcoal, dark brown or some other color, as approved by the Committee.

For more information or copies of these documents, please contact Stephen Duncan with Beverly Hanks & Associates at 828.777.5718