

Bear Paw Service District (BPSD)

November 15, 2008

A Guide to Building Homes, Additions, Garages, Decks & Retaining Walls (Including tree preservation, prevention of runoff & water diversion)

In order to build in Bear Paw an owner must comply with the deed restrictions (DR) and zoning ordinances [ZO (copies of both are available in the BPSD office)]. This document is intended to assist you and is not intended to replace zoning ordinances (ZO), deed restrictions (DR) or requirements of other governmental agencies. It is the responsibility of the property owner to become thoroughly knowledgeable with all requirements and to complete a process of due diligence to avoid monetary and building moratorium penalties (see ZO section 602 E). Property owners are encouraged to contact all parties mentioned in this document for assistance and educational purposes. You should find all parties to be helpful, courteous and encouraging to building in Bear Paw.

BPSD

Mission: Serve the collective interests of all Bear Paw Property Owners through the best use of our resources, both funds and assets.

Priorities: Preserve the security and, to the extent our limited resources permit, maintain and upgrade the infrastructure, all the while fostering the nature of our community – a Mountain & Lake Retreat – a wonderful place to visit or to live.

Tree Preservation Administrator: Appointed official of the BPSD to assist property owners identify significant trees in the Service District prior to any tree cutting.

The following sequence of events, in order, is required to build a home in Cherokee County, NC through the Cherokee County Building Department (CCBD) and the Bear Paw Service District. **Items/documents needed from the BPSD are shown in bold type** and all county requirements are in regular type.

Guide to HOMES, ADDITIONS & GARAGES

1. Prior to clearing any lot or portion of a lot for any reason, removing trees and/or moving dirt, (see ZO Article 600) a **Tree Preservation Application** and a **Zoning Certificate Application** must be obtained. Dirt berms, gravel berms or silt fences may be used for erosion control (see ZO section 204 K for erosion prevention). Contact: Randy Barton, BPSD Manager/Tree Protection Administrator/BPSD Zoning Administrator, (828) 644-0808 or randy11@dishmail.net for tree preservation planning and assistance with Zoning Certificate Application.

2. Obtain a Septic System Permit from the Cherokee County Health Department (CCHD (828) 835-3853 or trevor.peterson@cherokee-county-nc.gov). The CCHD will determine acceptable locations for the septic system. The septic system permit cost is \$600 for a three-bedroom home and \$50 for each additional bedroom. An approved Tree Preservation Plan will be required prior to cutting any trees and installing a septic system. (Note: Not all lots in the BPSD may be able to support a septic system, some areas in the BPSD may be able to access the Utilities Inc. sewer system and some may not be able to obtain either.)
3. A **Tree Preservation Plan** drawn to scale and in enough detail showing all significant trees and property lines. All significant trees will need to be wrapped with red engineering tape available at the BPSD office or from a building supply store at a height of approximately 4 feet. Trees to be removed should be clearly marked with another color tape by the property owner, preferably green or white/yellow (Once a complete building plan is developed the septic system, home, garage, addition, parking spaces, driveway, sidewalk, retaining walls, decks and possibly sewer lines as well as property lines will need to be shown on the plan.) Contact Randy Barton, BPSD Manager/Tree Protection Administrator, (828) 644.0808 or randy11@dishmail.net for assistance and help with tree identification. Once completed, the stamped & signed **Approved Tree Preservation Plan** will need to be submitted to the Zoning Administrator along with an **Application for Zoning Certificate** and all other requirements.
4. Complete sets of **blueprints, architectural drawings or building plans**, drawn to scale with dimensions in sufficient clarity to show compliance with building codes and zoning setbacks, stamped & signed by the BPSDF Zoning Administrator. The footprint of the building and all attached structures will need to be staked-out on the property and clearly identified. Contact Randy Barton, Zoning Administrator, (828) 644-0808 or randy11@dishmail.net for assistance.
5. A copy of a **valid survey** showing the location, dimensions and boundary markers of the property must be submitted to the BPSD administrator. In addition, all boundary markers shown on the survey must be located and tagged on the property.
6. **Copy of the recorded deed** to the property where construction will occur.
7. **Check for \$325** made payable to the Bear Paw Service District with an **Application for Zoning Certificate**. This fee covers three visits: additional visits will be \$100 per visit/inspection payable to the BPSD.
8. **Road damage deposit check for \$1,000** payable to the Bear Paw Service District for road damage during construction. (A request to return the deposit can be made upon receiving the Certificate of Compliance and completion of a road damage evaluation by the BPSD Manager.) Upon obtaining an Approved Zoning Certificate a Cherokee County Building Permit can be obtained, contact CCBD at (828) 837-6730
9. Upon satisfactory completion of the above steps the Approved Zoning Certificate will be issued and sent to the CCBD as an approval to issue a building permit.

During construction the Cherokee Building Department (CCBD) will require sequential/simultaneous inspections & approvals before building can continue to the next stage. The same building permit form is used for all building inspections, however only the applicable sections are used for retaining walls and decks (see pg. 5). **The bold type indicates inspections you will need from the BPSD Zoning Administrator.** These are in addition to the CCBD inspections listed below and verify that the necessary setbacks are maintained in accordance with the approved plan. The Zoning Administrator needs to be notified of any changes during the construction phase (see ZO section 205).

CCBD & BPSD CONSTRUCTION INSPECTIONS

1. temporary electrical pole
2. footings or monolithic slab (prior to pouring concrete)
BPSD Zoning Administrator inspection (setback check)
3. slab plumbing
4. basement wall or foundation wall (prior to pouring concrete)
Note: Not listed on the CCBD Inspection Record is the requirement to have the ground treated for subterranean termites by a licensed pest control service and have the treatment sticker placed on the displayed permit prior to the concrete pour.
5. floor framing
6. damp-proofing & foundation drain

All above completed prior to next set of inspections

7. masonry or metal fireplace and masonry or prefab metal chimney
8. rough wiring
9. rough plumbing
10. rough gas
11. framing

All above completed prior to next set of inspections, do not insulate

12. insulation

Do not cover interior walls prior to all above being completed

Final BPSD Zoning Administrator inspection (recheck setbacks) **and issue a Certificate of Compliance.**

13. final building
14. mechanical
15. final plumbing
16. final gas
17. final electrical

Do not occupy until above has been signed

Provide a copy of the Certificate of Compliance to BPSD Manager and request a road inspection, if no damage is present your deposit will be returned.

General Advice: If you have never built on property with a significant slope please seek professional advice before you begin the process, particularly on house placement, excavating, filling, boulder removal and driveways. Steep grades are not user friendly especially in inclement weather and flat areas are not abundant. Please pay attention to the diversion of natural water flow, plan where it will go as a result of building and be a good

neighbor. The Zoning Ordinance allows for variances but they are not an option to be used to overcome the natural limitations of a steep lot (see Article 300). Remember there is no substitute for due diligence and professional advice before undertaking a building project.

Guide to RETAINING WALLS & DECKS (without electrical or plumbing permits from CCBD)

If you are planning to add or enlarge a deck or build a retaining wall the process is simpler but you will still need approvals and inspections from the BPSD and the CCBD. You will only be working with the BPSD Manager and the Cherokee County Building Department. The Zoning Administrator is not involved with these types of construction in order to keep the certificate/permit costs in line with the costs of the project. Listed below are the steps you will need to take to accomplish your building project. The **BPSD requirements are in bold type.**

Note:

1. Prior to clearing any lot or portion of a lot for any reason, removing trees and/or moving dirt, (see ZO Article 600) a **Tree Preservation Application** must be obtained. See ZO section 204 K for erosion prevention: dirt berms, gravel berms or silt fences may be used for erosion control. Contact: Randy Barton, BPSD Manager/Tree Protection Administrator, 828.644.0808 or randy11@dishmail.net for the applications and assistance.
2. A **Tree Preservation Plan** drawn to scale and in enough detail showing all significant trees and property lines. All significant trees will need to be wrapped with red engineering tape available at the BPSD office or from a building supply store at a height of approximately 4 feet. Trees to be removed should be clearly marked with another color tape by the property owner, preferably green or white/yellow. The plan needs to show all existing buildings and structures if any (septic system, home, garage, parking spaces, driveway, sidewalk, retaining walls, decks, and possibly sewer lines) as well as property lines. The footprint of the deck and/or retaining wall will need to be staked-out on the property and clearly identified. Contact Randy Barton, BPSD Manager/Tree Protection Administrator, 828.644.0808 or randy11@dishmail.net for assistance and help with tree identification.
3. A complete sets of **blueprints, architectural drawings or building plans of the deck and/or retaining wall**, drawn to scale with dimensions in sufficient clarity to show compliance with building codes and zoning setbacks (decks only).
4. **Copy of the recorded deed** to the property where construction will occur.
5. **Check** made payable to the Bear Paw Service District with the **Application for a Zoning Certificate**, obtained from the BPSD Manager. The fee covers three visits with additional visits costing \$25 per visit/inspection payable to the BPSD.
6. **Road damage deposit check for \$250** payable to the Bear Paw Service District for road damage during construction. The BPSD Manager can wave the deposit if he determines that the scope of the project is minor in scope. A request to return the deposit can be made upon receiving the Approved Zoning Certificate and completion of a road damage evaluation by the BPSD Manager. Upon obtaining an Approved Zoning Certificate a Cherokee County Building Permit can be obtained.

	Permit Costs
Decks 500 sq. ft. or less	BPSD: \$50
Decks 500+ sq. ft.	BPSD: \$60
Retaining Walls	BPSD: \$80

7. Upon satisfactory completion of steps 1-6 above, and approved by BPSD, the stamped and signed **Zoning Certificate** will be forwarded to the CCBD to notify the county that a building permit may then be issued upon application by the property owner.

The cost of a Cherokee Building Permit is the same as the BPSD permit cost. During construction the Cherokee Building Department (CCBD) will require sequential inspections & approvals before building can continue to the next stage. **The bold type indicates inspections you will need from the BPSD Manager.** These are in addition to the CCBD inspections listed below and verify that the necessary setbacks are maintained in accordance with the approved plan. The BPSD Manager needs to be notified of any changes during the construction phase (see: ZO section 205).

CCBD & **BPSD** CONSTRUCTION INSPECTIONS

8. footings or monolithic slab (prior to pouring concrete) **BPSD Manager Inspection**
9. basement wall or foundation wall (prior to pouring concrete)
10. framing

Final BPSD Manager inspection, to recheck setbacks, and issue a Certificate of Compliance.

11. final building

Provide a copy of the Certificate of Compliance to BPSD Manager and request a road inspection if no damage is present your deposit will be returned.