



WATERWAY PALMS PLANTATION

Myrtle Beach, South Carolina



ARCHITECTURAL GUIDELINES

January 1, 2015 Edition

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(Owner shall confirm need to submit any of the Submittal Forms based on its Applicability to their project.)

I. Mission of the Architectural Review Committee (ARC)

The Architectural Review Committee serves as the entity that regulates all forms of construction activity, including but not limited to home and landscape design, lot layout, plot plan, drainage plans, arbors, tree removal, fencing, gazebos, docks, storage buildings, exterior colors and all other construction within Waterway Palms Plantation. The ARC promulgates and enforces the Design Guidelines to carry out the intent of the Declaration of Protective Covenants, Restrictions, Easements, Charges and Liens for Waterway Palms Plantation (the "Covenants") and assists lot owners in the interpretation of the Design Guidelines. The ARC reserves the right to revise and/or amend these guidelines. The Design Guidelines and the Covenants are instruments that stand side by side for the protection of the project in the present and in the future. In the event that the Design Guidelines conflict with the Covenants, the recorded Covenants shall prevail.

A. Purpose

The maintenance of harmonious neighborhoods to foster overall aesthetic appeal and continued value of the property is of the utmost importance in Waterway Palms Plantation.

The following guidelines have been put into place to assist property owners in the planning and the construction of their home at Waterway Palms Plantation. To achieve these goals, the guidelines:

- Provide a systematic and uniform design review process.
- Ensure that the siting and architectural designs of structures are visually compatible with the existing terrain and vegetation and adhere to the overall design intent of the development.
- Ensure that the landscape plans provide visually pleasing settings, functional satisfaction, and that landscaping blends with the natural landscape and neighboring properties.
- Ensure that the construction of all building and the installation of all landscaping comply with the provisions of the Covenants and these Guidelines.

B. Development Theme

Waterway Palms Plantation has established specific objectives to achieve a certain design character. To achieve these objectives, the ARC has adopted certain architectural and design construction philosophies. Dwellings and other structures shall be unobtrusive in form and color, reflecting a **Charleston / Lowcountry** architectural vernacular, and fit appropriately into the landscaping (existing and new). Owners should seek qualified design assistance to ensure appropriateness.

The ARC expects that the common construction elements be of quality design and material. "Fad" and "fashions" of current architecture should be avoided. The ARC encourages the use of brick, stucco, and lapped siding.

Each building is part of the total neighborhood and should not be an individual creation or architectural entity, arbitrarily placed on the site. The various designs should complement and enhance the neighboring properties as they evolve through consistency of scale, quality of material and exterior material type and color.

C. Fees Paid by Owners to be paid with the submittal of Form Two:

1. **Architectural Review Fee:** All fees and deposits shall be paid with the application(s) contained herein to the Home Owners Association (HOA) and delivered to the Association Manager. The Architectural Review fee for all new homes is \$1,000.00. The fee will cover the review cost of the three plan reviews during the design phase and three on-site reviews during construction. The review fee for an addition or exterior remodel is \$475.00 and includes one site review at full completion. For owners wishing to market their lot with a pre-reviewed concept plan, the ARC will review the design for a fee of \$250.00. The eventual purchaser of the lot will be subject to a full new home review fee. There is also a dock review fee of \$250.00. See submittal Form Twelve for dock requirements. And there is a fee of \$75.00 for minor items. However, some modifications do not require a review fee, nor an application. Reference Article II G. There is an additional review fee of \$150.00 per review for any additional plan or on-site reviews required.

DEPOSITS PAID BY CONTRACTORS: The following deposits must be paid by the General Contractor on a check written on their business account. Checks from owners will not be accepted.

2. **Compliance Security Deposit:** Posted with the HOA in the amount of \$5,000.00 (\$1,500.00 for remodeling projects, requiring a building permit, or requiring use of a tractor crossing curbs which is larger than a Bobcat, or a truck larger than $\frac{3}{4}$ ton). The deposit is required to ensure contractors keep the property in a neat, clean, workmanlike manner and to ensure that the improvements are completed in accordance with the approved plans and specifications and these Guidelines. Should the same not be done at the end of any business day or the end of construction, some, or all of the deposit may be used to bring the contractor into compliance with approved plans and for any necessary site maintenance. Any portion of the Compliance Security Deposit remaining at the end of construction and issuance of the certificate of occupancy will be refunded to contractor.

3. **Road Bond:** posted with the ARC in the amount of \$2,500.00 (\$500.00 shall be retained by the HOA as a non-refundable impact fee): to ensure that streets, sidewalks and curbs in front of subject lot are maintained throughout the construction process and kept in the same good quality condition as they were in when construction began; and to ensure the proper reseeded, clean-up of right-of-ways and drainage swales for any damage by contractor and its agents. Any portion of the road bond [Less the \$500 non-refundable impact fee] not applied to necessary repairs will be refunded at the end of construction.

a. If a sidewalk exists on subject lot, it must be saw-cut prior to construction, and effectively rebuilt when placing the driveway. It shall match in every case the community standard. Photos should be taken by the owner to catalog any damage to curb & pavement prior to construction. Contractor must ensure that storm drainage easement lines are not driven across, by installing silt fence along property line (that will remain for the duration of construction).

4. **Landscape Bond:** posted with the ARC in the amount of \$1,000.00 (refunded following final approval by ARC) The landscape contract must be part of the General Contractor's contract for services with the owner.

For new home construction: Total of all fees, deposits and bonds is \$9,500.00. Payment is required to be made with three separate checks made out to Waterway Palms Plantation HOA – One for \$1,000.00, one for \$8,000.00 and one for \$500.00. Adjust for remodel projects accordingly.

II. The Design Review Process (PLEASE READ CAREFULLY...as there are required materials which must be provided at specific times during the process)

The process of review is intended to protect property owners and their investment as well as to secure the aesthetic quality of Waterway Palms Plantation. With that in mind, each property owner should:

1. **Become familiar with the Covenants and Restrictions and these Guidelines (required):** In some cases the Covenants will contain pertinent information with respect to HOA and ARC administration of this program which are not restated within these pages.
2. **Select the appropriate design consultants:** Owners may contract with any architect or designer of their choosing. The ARC requires verification from any designer who plans to work in the community to ensure they are licensed. This information should be noted on **Submittal Form Two. Submittal Form Four** should be used by you as the owner to ensure your designer is qualified to design homes whose style and technical execution meets the standards of a Charleston/Lowcountry theme. An unqualified or under-qualified designer may significantly delay your approval process.
All drawings and specifications shall contain Architect/Engineer or designer's name, contact information and license number. Drawings will not be accepted without this information prominently placed on each drawing.
Lastly, all final plans submitted to the ARC shall include a structural design sealed by a Structural Engineer or Architect licensed in the State of South Carolina.
3. **It is required that the property be surveyed** by a registered land surveyor licensed in South Carolina.

CHECK SHEET ONE: The following information is required to be on your lot survey.

Your site surveyor should be provided with this list.

You are required to submit the resultant survey with your Schematic review

SHOW ON THE PLOT PLAN:

- ___ Waterway Palms Plantation infrastructure to include all improvements, roads, ponds, utilities on or immediately adjacent to subject property. Identify with the recorded plat by lot and phase number.
- ___ Property lines with dimensions and bearings and a north arrow.
- ___ Streets, setbacks, right of ways, easements and other information from recorded documents.
- ___ Outline (footprint) of the proposed home, porches, steps, patios and driveway(s).
- ___ Contours at two-foot increments. Establish a benchmark at the curb in line with the left side property line. Stake rebar at the curb, hammer it down to where it is no higher than the curb. Show the benchmark on the drawing as elevation zero (0), or actual elevation above sea level. Indicate on the plan both the highest existing and highest projected finished grade elevation, denoting their height in feet and inches above the elevation of the benchmark.
- ___ All existing trees with a caliper of 6" or over. Exclude wetland areas if on the property.
- ___ Scale to be 1/8" = 1'-0" or 1" = 10ft.
- ___ Outline of the most proximate side and forward most feature of any home on an adjacent lot.
- ___ All other features of the site.
- ___ Total Square Footage of the site.
- ___ Seal of the licensed surveyor with a signature and date. The survey must have a title block to include the owner's name, address, and phone number and the surveyor's name, business address, phone and license number.

The surveyor shall release the drawing for ARC use and provide a digital copy for the ARC review.

4. **Submit your preliminary plan to the ARC for a Schematic Review:** THIS IS A REQUIRED SUBMITTAL. There is no charge for this review if you are a lot owner planning to occupy the home after construction.
5. **Determine how you will design and bid the work on your home and how you will administer construction:** All designers must have a Horry County business license or be an architect licensed by the State of SC. In addition to designing a compliant home and providing details to ensure quality construction, a licensed architect will typically provided services during the bid phase where he/she may help qualify contractors, and can also assist in performing site reviews during construction, check material lists, confirm the quality of

the work and confirm fees invoiced by the contractor are in line with the work performed. However, while professional assistance is highly recommended, an owner may choose his/her own method of ensuring quality construction and fair pricing as this is outside the scope of work of the ARC.

6. **Select a qualified General Contractor:** Owners may contract with any licensed contractor/builder of their choosing. However, it is a requirement that all builders shall be professionally qualified and properly licensed by the State of South Carolina and with Horry County with their qualifying information noted on the **Submittal Form Three**. Any and all 'prime sub-contractors' shall be licensed as well, with their qualifying information noted on the **Submittal Form Three**. A prime subcontractor shall be any company or person who contracts to do work on the home who is not working as a General Contractor, and where their work is required to be completed in order to receive a Certification of Occupancy for the home from Horry County. Prime subcontractors typically include HVAC, electrical, plumbing as well as security systems, irrigation and landscaping.

A. The Schematic Design Review (SD)

A. Schematic: The Schematic Design submittal is the first required submission to begin the review process. This review is intended to help provide owners with guidance early in the design process to minimize major changes after a full set of documents has been prepared. No fee is required from property owners for the Schematic Review if they intend to occupy the home. For individuals who are not property owners and who are considering a purchase of a lot in Waterway Palms Plantation and would like to know if their home fits the criteria of the community, there is a fee for the review as noted on Form One-Schematic, included herein.

- a. Submit Form One - Schematics in order to commence the review process. After submitting the form, your designated 'registrant' will be emailed a password to allow access the review site, typically within one business day of the Association Manager receiving the form.
- b. Have the survey prepared. See Check Sheet One.
- c. Complete items on Check Sheet Two. All submittals to the review site are required to be in digital form using public domain software (PDF-preferred or GIF).
- d. Allow up to ten business days for a response.

CHECK SHEET TWO: Provide this page with your SD submittal. Confirm that you have included each item below by initialing beside each required document.

- _____ (1) A copy of Form One-Schematic that you submitted to the Association Manager.
- _____ (2) A copy of the site survey as described on Check Sheet One.
- _____ (3) Floor plans showing heated and unheated square footage.
- _____ (4) A roof plan indicating pitch.
- _____ (5) A minimum of four elevations with elevations adapted to the topography of the site.
- _____ (6) A copy of this page of the Guidelines with your initials on the lines to the left.
- _____ (7) On each drawing provide designer and architect information as required in Article II (2).

SUBMITTED BY: _____ TITLE _____

B. The Design Development Review (DD) (Required)

A. Design Development: This phase of the work by your architect or designer should include detailed information with respect to the materials of construction as well as provide more extensive details. Following the ARC approval at this level, you will likely be able to obtain budget pricing from a contractor. Final contract pricing should be based on full and complete drawings and specifications, which is the final phase of the review process.

CHECK SHEET THREE: Provide this page as part of your DD submittal. Confirm that you have included the required information by initialing beside each item listed below.

PROVIDE:

- ____(1) A completed Waterway Palms Plantation Form Two-Design Development Review Request
- ____(2) A completed Form Three – Materials of Construction, exclude color selection if desired.
- ____(3) Design Development Floor Plans and Elevations in digital format including:
 - i. Floor plan: Indicate all rooms, and sizes, along with square footage. Show the finished floor elevation (FFE) of the first floor with respect to the benchmark and highest grade elevation noted on the site survey identified on check sheet one.
 - ii. Roof plan indicating slopes and finish materials.
 - iii. Elevations: Provide front, rear, and side elevations indicating building materials and finishes. Elevations to be site adapted showing correct location of grade with respect to the topography. Show floor to floor heights and overall height.
 - iv. A fully detailed wall section from foundation to roof and through a window, showing all significant elements of construction including flashing, air and water barriers, etc.
 - v. A transverse and longitudinal section through the front porch and front door.
 - vi. Additional key details of each unique feature on the exterior of the home.
- ____(4) Submit updated site survey described in Check Sheet One if there have been changes since the SD submittal.
- ____(5) Include any request for a Variance at this time. Typically, a Variance is granted only in cases of hardship related to site constraints that may dictate conditions of the design that are in conflict with Guideline requirements. A variance request is attached ____ yes ____ no.
- ____(6) On each drawing provide designer/ architect information as required in Article II (2).
- ____(7) A copy of this page with your initials on the lines to the left and item 5 checked, yes or no.
- ____(8) Submit Fees denoted on Form Two, with checks made to “Waterway Palms Plantation HOA.”

Other data: The Waterway Palms Plantation ARC reserves the right to require the submittal of other information, data, drawing and samples as deemed necessary.

SUBMITTED BY: _____ TITLE _____

C. The Construction Document (CD) Review (Required):

The Final Plan Review is the Construction Document review. Following receipt of the DD review comments from the ARC, the following shall be submitted, along with accounting for all comments from the ARC. In general CD's are required which detail all conditions of construction and show schedules of windows and doors as well as detailed specifications and jobsite requirements.

CHECK SHEET FOUR: Provide this page as part of your CD (or exterior renovation) submittal. Confirm that you have included the required information by initialing beside each item listed below.

PROVIDE:

___ Submittal Form Three checked as a CD submittal, completed by owner or owner's representative.

___ Revised Site Survey if items have been changed since DD Review.

___ **LANDSCAPE PLAN:** Plans, material lists and planting details should be prepared by a Licensed Landscape Architect or Landscape Designer. This plan may be delayed until the time for a dry-in review but the dry-in review will incur an additional review fee if this plan is not submitted by that time.

The Landscape Plan shall be scaled at 1/8" = 1'0" and will include:

- a. Plant material name, variety, size, location and quantity
- b. Lawn area and what type of lawn and installation.
- c. Grading illustrating direction flow of drainage and how drainage ties into Waterway Palms Plantation drainage plan.
- d. Any other landscape fixtures or features.
- e. The plan is to be signed by the designer and proposed installer.
- f. Irrigation description and plan

___ Ground Level Plan at 1/4" = 1'0" scale to include:

- a. Foundation &/or pier locations
- b. Driveways
- c. Trash containers and HVAC enclosures **MUST** be constructed of materials that complement the home, are aesthetically pleasing and functional.
- d. Stairway.
- e. Accessory structures.
- f. Pool, pool equipment, deck, or pool enclosures and fencing.
- g. Any other enclosures or improvements

___ Floor Plan shall be scaled at 1/4" = 1'0" and will include:

- a. Dimensioned wall, window and door openings.
- b. Dimensioned foundation plan, identifying heated and unheated square footage.

___ Elevations to be scaled at 1/4" = 1'0" and to include any revisions required by previous reviews.

___ Detail sheet to include:

- a. Service yard screen wall section
- b. Enlarged details showing every condition where two distinct materials intersect.
- c. Screened porches, decks, railings and exterior stair details.

___ Structural Plans scaled at 1/4" = 1'0" signed by Structural Engineer or Architect licensed in the State of South Carolina.

___ Electrical Plan including exterior lighting and power and showing exterior fixture locations

___ Schedules: a. Finish; b. Doors c. Windows

___ Detailed wall sections through window showing flashing, water barriers and all materials of construction.

___ Roof Plan. Flashing details for penetrations.

___ Site photos and photos of any preconstruction damage to curbs or adjacent roadways.

___ Written permission from the architect or designer who prepared the plans to use them to construct a home on the referenced lot.

SUBMITTED BY: _____ TITLE _____

Expected Start Date if known: _____ Contractor if known: _____

Notices: Registrants (owner's representative) will be notified by automated notifications to their e-mail of the status of approval. The CD approval will be effective for twelve (12) months from the date of approval. If construction has not substantially begun within the 12-month period, the approval will become void and the owner must make a new CD review request by providing all the support documents required by the original review. If a different edition of the Guidelines is then in force, the plans will require a re-review under the new Guidelines before construction will be approved to commence. In the case of a review required under a different set of Guidelines, an additional design review fee will be assessed at one-half the amount of the original review fee.

Approval by the ARC is in no way an assumption of liability or an endorsement by the ARC of the structural design or engineering of the dwelling, nor suitability of the home for any purpose, nor its adherence to applicable codes, nor its correct placement on a site, nor is approval given, expressed or implied, to use in any manner and/or damage any of the adjacent property or common areas incidental to the approved construction.

Alterations and additions to buildings, landscaping, exterior lighting, fences, exterior paint, or addition of shrubs or trees, must be approved by the Architectural Review Committee, prior to execution of changes desired.

GENERAL NOTE ON TIMELINESS OF THE REVIEWS: Owners should expect that each of the SD, DD and CD reviews will take ten business days on average. High quality custom designs prepared by architects and experience home designers and complete submittals may expedite the process. Owners should carefully assess the capability of their designer to prepare the complete set of documents required during this review process. Incomplete submittals or poor design quality can delay the review substantially. Please ensure that ALL items called for in the Check Sheets are included with your submittals. The Waterway Palms Covenants allow up to 45 days for the ARC to review "completed" submittals.

D. Building Permits

Final building permits in accordance with local and state law must be obtained before construction can begin. Application and payment of any fee for these permits is the responsibility of the owner and is not included in any of the fees required to be paid to the HOA for any purpose.

E. Exterior Renovations

Homeowners are not permitted to make any revisions, changes or modifications to their homes without this review. This review requires the following:

1. **Form Two** registering the project with the HOA.
2. A **\$475.00** Review fee for renovations requiring a building permit, which includes one final site inspection. A renovation by definition shall include ANY CHANGE, REVISION OR MODIFICATION made to the original structure following final construction approval.
3. **Form Three** and digital representation of materials in color to be used.
4. A full set of CD Drawings prepared by a licensed architect or designer, preferably the original building designer.

F. Variance

In the case where the site presents an unusual condition or hardship, the owner may request a variance. This shall be submitted to the Architectural Review Committee in writing no later than the DD submittal. The following factors will be weighed in considering whether a variance is warranted:

1. The requested variance would not affect the overall community or deter the purpose of the guidelines or covenants.
2. The property, because of size, shape or topography, creates extreme circumstances.

3. The owner would suffer hardship due to a specific requirement of the guidelines.

Note: Any variance granted by the ARC does not in any way preclude the necessity of obtaining variances from any governing, building, or regulatory agency. The owner shall confer with their building or design consultant to assess this need.

G. Minor Projects

The ARC is required to perform reviews for all exterior modifications on each home site. Some modifications are minor and do not require a full review. A form is included to request a Minor Project Review in the forms area at the end of this document.

A review fee as noted on the form is required for the following items.

- (1) Children's play equipment. To be approved it should not extend across side yard or rear yard setbacks, should be screened from neighboring property with shrubs and trees and anything above six feet in height finished in natural colors as opposed to primary colors.
- (2) Garden walls composed of masonry matching the masonry of the home, installed in the rear or a side yard which is not street facing or facing a common area and is less than five feet tall. It must be installed with masonry or stone top cap and water proofing to prevent efflorescence.
- (4) Landscape elements that are in addition to items in the initially approved landscape plan or are an enlargement of a previously approved landscape plan.
- (5) The addition of a patio or masonry fireplace to the rear of the home which is at grade level and does not extend across side yard or rear yard setbacks. Masonry must complement the masonry of the home and the fireplace may not be more than eight feet wide nor eight feet high.
- (6) Permanently installed basketball goals providing backboard is clear plastic and set perpendicular to the street..

No review fee is required for the following Minor Projects:

- (1) Satellite dishes installed on poles. Units should not exceed eight feet in height and must be installed in side yards not facing the street or rear yards and must be fully screened with shrubs or trees. Satellite dishes must not extend across side yard or rear yard setbacks and must not be installed on a roof visible from the front of the home or exposed on the roof visible from common areas or ponds.
- (2) Any recreation equipment placed in the rear of the home providing it does not extend across side yard or rear yard setbacks and does not exceed eight feet (8') in height.
- (3) Visually permeable fencing composed of black wrought iron or similar black aluminum rail and not taller than five feet in height.
- (4) Vegetable (food product) gardens over 200 SF in area or placed in areas other than a rear yard.
- (5) Yard ornaments visible from the front of the home or from a common area, lake or pond.

No application nor payment of fees are require for the following Minor Projects.

- (1) Landscape elements added to a home which are replacing plants damaged or destroyed and which meet the requirements of the Guideline edition at the time of the new planting.
- (2) Vegetable (food product) gardens placed in the rear yard of a home up to 200 SF in area.
- (3) Expansion of an existing irrigation system or separating an irrigation system from the community water services by providing a separate service meter.

CAUTION -Any work requiring movement across a curb with equipment larger than a Bobcat tractor or truck larger than 3/4 ton must be submitted for a Major Project review.

III. General Design Guidelines

A. Size

Every effort should be made to ensure that the building size does not block the field of view of community amenities or water features from potential future or existing adjacent homes. (Typically, the ARC will use your rear building plane and side setback to approximate the potential location of an adjacent home. The ARC will strive to protect the adjacent property field of view which is 125 degrees off the rear plane of the adjacent home.)

The design should be harmonious with the terrain, vegetation and adjacent buildings. No structure should dominate the surroundings.

Minimum heated area required for Phase I and Phase II-A dwellings is 1,800 square feet for interior lots and 2,400 square feet for Intracoastal waterfront lots.

Minimum heated area required for Phase II-B, Phase III, and subsequent phase's dwellings is 2,200 square feet for interior lots and 2,400 square feet for Intracoastal waterfront lots. This square footage includes heated and cooled living space exclusive of: garages, screened porches, covered decks, open decks and storage spaces.

For Phases I and II-A, the residence shall be a minimum of a two-story structure. One-story structures are permissible in Phase II-B, Phase III and subsequent phases.

Mirrored or reversed plans that closely duplicate an existing or previously submitted home will not be allowed.

B. Setbacks

Phase I & Phase II-A

Side yards: First Side Yard: No less than five (5') feet from side property line as depicted on the plat, except on a corner lot, in which case a seven and one-half (7.5') foot side set back from the street shall apply. Second Side Yard: No less than seven (7') feet from side property line.

Front yards: As shown on Plat. No less than ten (10') feet.

Rear yards: No less than sixty (60') feet on Waterfront Lots, and no less than ten (10') feet on non-Waterfront Lots. See Article VI, Section 10. of the Declaration of Protective Covenants, Restrictions, Easements, Charges and Liens for Waterway Palms Plantation. Note: Although rear setback lines shall be sixty (60') feet on Waterfront Lots, no main building structure shall be within one hundred (100') feet of the rear property line; decks, gazebos and other out structures to be no closer than the sixty (60') foot setback line.

Phase II-B, Phase III & Phase IV

Side yards: First Side Yard: No less than seven and one-half (7.5') feet from side property line as depicted on the plat. Corner Lot: Seven and one-half (7.5') foot side set back from the street shall apply. Second Side Yard: No less than seven and one-half (7.5') feet from side property line.

Front yards: As shown on Plat. No less than twenty (20') feet.

Rear yards: No less than fifteen (15') feet

NOTE: Covenants do not permit eaves to extend over setback lines except when approved by the ARC. There ARC herein approves eaves less than 12" crossing setbacks.

C. Floor Elevations & Building Heights

All building floor heights shall be indicated on the site plan and building elevations with regard to existing grade as established by the contour plan, benchmark and highest point of actual finished grade. The finished first floor elevation (FFE) shall be a minimum elevation of 24 inches above the highest finished earthen grade on the site measured at the completion of construction. Where the

measurement is too close to be easily confirmed by the ARC, the ARC will require confirmation from the original land surveyor. Mulch in garden areas may be placed above the earthen grade after compliance to this requirement is confirmed.

Foundations: All homes shall be on a raised foundation with foundation details that are appropriate to Charleston/Low country style. Foundation materials shall be brick, engineered stone or tabby stucco. Plain painted stucco and synthetic stucco systems (EIFS – exterior insulation & finish systems) are not allowed. Foundation finish shall be uniform fully around the home.

The design professional shall ensure that all-applicable building codes be incorporated into the design process and are included in the final construction documents.

No structure within Phase I and Phase II-A shall exceed a building height of forty-five feet (**45'-0"**). Maximum building height for Phase II-B, Phase III and Phase IV shall be thirty-five feet (**35'-0"**). This dimension shall be measured in accordance with the Horry County Standard where the average of the distance from the highest eave to the highest roof peak shall constitute the datum line for measuring the height of the building. Consult the Horry County code for specific requirements.

D. Roofs

Plans shall specify roof pitch. The Principle roof shall generally conform to a symmetrical gable, hip, with a pitch in the 5:12 – 12:12 range. Roofing materials are to be slate, architectural shingles, metal, tile or other material approved by the ARC. Where copper is specified it should contribute as a design element. Locate flues and vents on rear slopes so as not to be visible from street. They must blend in color with the roofing material.

Skylights and solar panels should be integrated into the roof design and in the case of solar panels, not be separately supported elements. Piping and wiring for solar panels shall be concealed.

Roofing shingles shall be architectural grade (three tab shingles are not permitted) and a minimum of 240# per square. Manufacturer confirmation of weight shall be placed on Form Three.

ARC approval is required for all rooftop equipment and accessories. All rooftop equipment must match roofing colors or be a color that complements the house and must be placed as inconspicuously as possible. Exposed flashing, other than copper, must be painted to match the fascia and trim of the structure. No exposed attachment straps will be allowed.

Roof drainage piping shall not discharge water at a property line.

E. Chimneys

In keeping with the architectural theme, with particular attention to the chimney peak, chimneys must be of brick or stucco over masonry. Synthetic stucco (EIFS) and wood or simulated wood siding materials are not permitted for use as chimney cladding. Direct vents for gas fireplaces should be painted to match wall. Note that unvented fireplaces used in interior areas are not approved in Waterway Palms Plantation.

F. Façade Treatment

Waterway Palms Plantation has a **Charleston/lowcountry** architectural theme, typically found in the coastal areas of North Carolina, South Carolina and Georgia, with special attention given to compatible massing of structures. Designs which mix differing styles of architecture will not receive approval. Motor court designs (side entry garages accessible from the front yard) will not be approved.

Adjacent structures should be diverse in architectural style. A proposed home which is similar to an existing home may not be approved. Knowledge of what is already built next to an owner's lot must be taken into consideration by the home's designer. In every case, the designs must blend from one home to the next in character. Owners must present a well thought out plan, which not only takes their own needs into consideration, but the effect on the whole community. Lines should be

symmetrical and clean with attention paid to detail. Exterior meters, water heaters and other such devices will be painted and positioned to blend with the exterior. Undersides of stairs when seen from front yards or from lakes or community amenities shall be painted.

G. House Numbers

It is the responsibility of the owner to mark their house with identifying numbers at a location required by local ordinances. All numbers identifying each residence shall be 4" high. Numbers will be brass or black. Letters are not permitted. Painting or marking curbs is not permitted.

H. Exterior Doors

Doors should be used that are appropriate for the architectural style of the home. And as such their design shall be submitted for ARC approval during the CD submittal. Exterior doors with stained or colored glass or with etched glass or sidelights with etched, stained or colored glass will be permitted with the approval of the ARC. A spec sheet should be submitted with colors shown, if colored glass is desired. Clear leaded glass is permitted. The ARC must approve storm or screened doors. They may be placed in the rear or side of the home only; they must be appropriate to the design and period of the house.

I. Windows & Shutters

Windows with grills are preferred. They should appear as authentic as possible utilizing simulated true divided lines (SDL) or Grills between the Glass (GBG). Snap-in grills are not acceptable. All windows which are not fixed glass are to be double hung or casement and the style should be compatible with the architectural period of the home. Single fixed panes of glass in frames may be used only as accents. Storm windows may be permitted if approved by the ARC. Screens are permitted but must have gray screening and must fully cover the window as opposed to a single sash. As such, single hung windows are not permitted.

Combinations of windows are required to have 4" mullions separating each unit. Pre-mulled windows with mullion 4" minimum width are approved.

All shutters should be operable or appear operable, include the appropriate hardware such as shutter dogs and exposed hinges, and be sized to match the window opening. When window shutters are used they shall be provided on all windows of an elevation unless specifically approved otherwise.

Vinyl windows are not approved except for the following manufacturers and styles: Simonton - Master Pro finish; Jeld-Wen - Select Vinyl; Ply Gem - Pro Series (MW) Classic; Windsor-Signature series; Pella 350 series, Viwinco-S Series, MI EC180 or 1650 series, Andersen 100 Series; Moss 3600 or 4600 Series. All windows shall be from one manufacturer. Windows which are designed to meet impact requirements for coastal areas may be from any manufacturer.

- The ARC must approve exterior security treatments for doors and windows; however, no "burglar bars", steel or wrought iron bars, or similar fixtures shall be installed on the exterior of any windows or doors of any dwelling.
- No black out of windows is permitted. No signs shall be placed in windows. Curtain fabric or other interior window treatment which can be seen on the exterior shall be neutral in color as seen from the exterior.
- No hurricane roll-down shutter systems are permitted. Plywood cannot be used for window protection beyond the period of a hurricane warning and the subsequent storm. Covering must be removed within three days of a storm's passing.
- Glass block is not permitted on the front or street facing elevations.

J. Porches & Entrances

Porches are among the most important characteristic of homes in this Architectural genre and are strongly encouraged. The porch serves as an outdoor room and contributes to the interaction

among neighbors. Porches should be comfortably built to encourage functionality and a minimum of 8 feet in depth at any point along its width in the front is required, but no less than six feet at any point along its width in the rear. All porches shall have porch railing appropriate to the style of the home. If screening is desired, then it should appear to look as if the porch is open with architectural features intact, such as columns, railings, etc. Screening on porches is not permitted where the porch can be viewed from the front.

ARC approval is required for the construction of covered porches, ground level patios, other enclosures and decks. Such structures and their supports shall be substantial in appearance, and reflect the style and architectural detail of the residence. Such structures shall be constructed of materials that are generally acceptable as complementary to the residence and be designed and installed as an integral part of the residence with rooflines that complement that of the principle structure. Any such structure must be located so as not to obstruct or diminish the view of or create an unreasonable level of noise for adjacent property owners. Location of these elements are generally prohibited on the roadway side, but may be considered if complementary to the Architecture of the home. Construction shall not occur over easements unless specifically approved by the utility company having jurisdiction and must comply with the applicable governmental requirements.

K. Exterior Trim

Exterior cornices, trim, & moldings should be consistent with each proposed design. In conjunction with lap-siding, a minimum of 6" exposure should be maintained along corners to form a strong visual frame. Approved exterior trim materials include: fiber cement board, Azek [or equivalent] and EIFS stucco systems. Window trim must not touch cornices but be set apart at least 4 inches.

L. Building Materials

The ARC encourages the use of only the best quality materials available.

Exterior Materials:

Siding: Exterior siding materials include: Decay resistant wood or fiber-cement products in horizontal or vertical siding patterns and stucco. NOT permitted are synthetic stucco (EIFS) walls, vinyl or aluminum siding and Masonite and other wood fiber wall and trim products.

Window/wall mounted air-conditioning units: are not permitted.

Garage Doors: shall be designed to complement the style and detail of the majority of the dwelling. Typical, generic door styles are not preferred. Window and lights within the garage door are permitted and encouraged especially on the dwellings where the garage faces the street.

M. Garages

A minimum two-car garage is required for every residence. For properties located on the Intracoastal, garages are required to be attached by conditioned space. No garage shall be converted into living area without prior ARC approval. Dwellings that are eligible to have a detached garage may do so as long as the garage is constructed of materials similar to the dwelling and is compatible in design. Motor court designs are not consistent with the theme and do not support the desired pedestrian scale of the community. Homes with more than two garage doors or street facing garages for more than two cars parked side by side may not be approved.

N. Colors

Colors should be in keeping with the selected period of the house. Please refer to the Charleston Historic Society Colors of Historical Charleston or Colors of the Low Country color gallery for an acceptable color palette. Not every color on the palette is an acceptable exterior colors. **All colors are subject to ARC approval.** The dominant stain or paint color for any project should be, or directly complement, the natural colors found within the community. All black houses, for example, are not permitted. Highlight colors should complement the dominant color, while the front door

may be a different color. Final approval of colors will be made only upon review of the sample board at the site staking review.

O. Driveways

Phase I and Phase II-A

Driveways for residences not along the Intracoastal are to be accessed from the alleyway at the rear property line, and are not permitted along the Roadway or from side streets. Residences along the Waterway should make every effort to locate driveways so that they are co-located with the driveway of the adjacent lot-owner. Co-located driveways shall be separated by a median strip containing appropriate plant material.

All driveway materials must be submitted for approval by the ARC. The driveway shall be constructed of brick, stamped concrete, concrete, concrete with broom or tabby finish, pavers made of cast concrete or pavers made from natural materials. Asphalt and gravel are prohibited. Driveways shall be constructed and maintained in accordance with the requirements specified by the authorities having jurisdiction. A concrete culvert must be placed where a driveway crosses a drainage swale.

Where a sidewalk crosses a driveway, the sidewalk shall not be changed from its original design.

Phase II-B, Phase III and Phase IV

Residences should make every effort to locate driveways so that they are co-located with the driveway of the adjacent lot-owner. Co-located driveways shall be separated by a median strip containing appropriate plant material. Where a sidewalk crosses a driveway, the sidewalk shall not be changed from its original design.

P. Mailboxes

A standard mailbox and post has been selected for ALL homes:

Two known sources for the mailbox are Carolina Mailboxes: (www.carolinamailboxes.com) (877-845-0850) and House Parts 801 N. Kings Hwy. MB. 843-626-3404

The approved style is Imperial Box 211-K-6 in black with Imperial post #2.

Location of mailbox must be shown on the site plan and approved by the ARC and have USPS location approval. Consult the ARC for confirmation of box placement.

Of special note is that the US Postal service has indicated it will at some point cease delivering mail to both sides of West Palms Drive and Crystal Water Way. Homes on the side of the street having side street parking spaces must locate their mailbox across the street directly in line with that property's side lot line. The post placed by the first to build will be modified to handle two mailboxes by the second to build. The ARC will clarify placement for each home.

Q. Fences:

Fences shall be black aluminum no more than 60 inches high, and placed not forward of the back plane of the home, except where entering side doors to garages, or in conjunction with a Charleston style side yard enclosure where brick piers are incorporated into the design.

R. Satellite Dishes & Antennas

Antennas (short wave radio or other) are not allowed if they are visible from the exterior of the home. See Article II G, Minor Projects.

S. Flags, Emblems, Exterior Sculptures, Fountains, Yard Accessories, etc.

One official flag of the United States of America and one official flag of the State of South Carolina, each no larger than 4' x 6' and attached to the main residence by poles no longer than 6 feet are permitted. No other flag emblem is permitted to be attached to the home or placed in the yard

without ARC approval in advance. No yard mounted flag poles are permitted. Exterior sculptures, fountains, gazebos, arboretums and similar items are subject to ARC's prior approval. ALL yard accessories and play structures shall be subject to the ARC review and prior approval. Any fences, walls, animal pens sought to be constructed on any Lot shall require the specific written approval of the ARC as to the location, size, composition, configuration, exterior materials, color and other similar matters, which approval may be withheld for purely aesthetic considerations. Submit **Form Two** with the appropriate fee to the Association Manager to commence this review.

T. Air Conditioners, Pool Equipment, Trash Can Enclosures, Tanks

Shall be located out of view of neighbors and street. The units should be screened from view and excessive noise by a solid partition of painted or stained wood or masonry. Window mounted or through the wall air conditioners are prohibited. All pool pumps and associated equipment shall be concealed behind a masonry enclosure which attenuates the noise so as not to be noticeable from neighboring homes. Masonry shall complement the home. Trash container enclosures are required where containers are kept outside. No propane gas tank larger than 25 gallon may be placed above ground. Tanks 25 gallons or less may be screened behind a wood or masonry enclosure complementing the home. All other tanks must be buried.

U. Reflectors: Often used to mark ends of driveways or mailboxes are prohibited.

IV Special Guidelines for Homes in Phase I adjacent to the ICW

In accordance with the Waterway Palms Plantation "Declaration of Covenants..." Article VIII Section 1, the ARC is permitted to promulgate different Guidelines or procedures for each section of the property. As such, the following requirement will from this date forward apply to lots bordering the Intracoastal Waterway. These requirements are intended to supplement the existing Guidelines, and where a conflict occurs, the more restrictive requirement shall be enforced.

The Intent: The developer of Waterway Palms Plantation provided assurance to the buyers of lots immediately adjacent to the Intracoastal Waterway (ICW) that homes in this area would be required to maintain the highest standards and value in the community, thus affording purchasers of lots an opportunity to eventually recover the higher cost of the lots. Prior to turn over of the community, the developer did not fully establish the specific requirements for this standard in writing, preferring to administer this higher standard through the Architectural Review Committee. (WWP-ARC). With the community now under full control of the HOA, the WPP-ARC is formally identifying the specific criteria it is currently employing in administering the review of lots along the ICW.

The Concept: 'Authentic' Architectural creations with classical and traditional styling, reflective of the Charleston and Lowcountry vocabulary, will always be preferred. Elements of this southern style include simple building forms, balanced design, pitched roofs, roof overhangs, porches, high ceilings and dominant rooflines.

The Waterway Palms Residential Planning Guide requires the owner and/or builder to employ the services of a registered architect or professional design firm to develop a home reflecting the principles of Waterway Palms. These individuals must be identified with each submittal to the WWP-ARC, including concept reviews. As with all other homes, the owner must provide evidence that they have the right to use the design, and the design must be copyrighted by the designer with the agreement of the designer that the specific 'exterior' design will not be reproduced at any other location within Waterway Palms Plantation.

Placement:

I. Criteria for Placement of ICW homes from the front property line.

The forward most projection of the main body of homes along the ICW must be placed within the "Build-To-Zone", which is a distance of 35 to 45 feet from the front property line. For homes placed 45 feet from the front property line, the ARC will endeavor to protect its field of view up to 125 degrees from the back plane of the home, taken from the corner of each side. 45 feet back from the property line is approximately 60 feet from the curb.

II Criteria for Placement of ICW homes from side setback lines.

For all ICW homes, there is a seven foot and five foot setback for side yards, so that no homes are closer than 12 feet from one another. The seven foot dimension shall be on the south west side, and the five foot dimension shall be on the north east side. In the event that a home is proposed between two existing home which are placed opposite this arrangement, the proposed home may reverse the order and have setbacks match the homes on either side.

Ceiling Heights: To achieve the appropriate verticality of the traditionally-designed home and to allow for gracious interior spaces, ceiling heights will be required to be at least ten feet on first floor and nine feet on the second floor. For a park under garage, the first floor shall be considered the floor above the garage.

Foundations: All houses should be on a raised crawl space or an elevated slab, with the main floor at a minimum of 24 inches above the highest grade on site, with appropriate foundation treatments. Approved foundation materials are brick, oyster-shell tabby or lapped siding materials approved for upper level. Materials shall be uniform fully around the home. Authentic stucco used when similar to body of the home.

The following requirement applies to Park Beneath homes:

- In keeping with the philosophy of Waterway Palms master plan, garages on Waterway Palms Intracoastal lots are to be de-emphasized so as not to detract from the architecture of the home or the green space of the neighborhood. The incorporation of arbors or other landscape structures in garage design is encouraged. Double garage doors will be permitted. Single doors and doors with glass and other customized details are encouraged if compatible with the house design. Carports are not permitted. Single access doors should be between nine feet (9') and 10 feet (10') wide.

Should the design show parking beneath your home, the WWP-ARC will require that the following three requirements are incorporated into the home design:

- Customized Foundation Treatments: The intent of these design details is to make the house appears to be closer to the ground. These treatments may include lowering the siding and band board, deleting the band board, darker foundation colors, and/or open pier porches with plants beneath. Additional details will be considered on a case by case basis.
- Customized Landscape: The intent of these design details is to effectively raise the foundation planting to make the house appear to be closer to the ground. These treatments may include planting climbing vines (fig vine, etc...) on the foundation wall, additional large foreground shrub massing or hedges at the time of planting, and an increase of the height of trees and shrubs in the front yard at the time of installation. Site fill will also be considered on a case by case basis.
- The ARC now requires that all foundation plantings be a minimum of four feet (4') tall at the time of planting and placed a minimum of four feet (4') on center (OC)
- One or more of the following design details should be considered in the home design:
 - Require site fill to elevate front yards to lessen the amount of porch steps to grade. Site walls may also be required.
 - Require changes in floor plan elevations. These changes could include changes in floor plan elevations or adding steps at the exterior doors so that the porches appear to be lower to the ground. Minor variations of floor levels within a home are permitted and may be encouraged to create a better relationship, between the first floor of the home to existing grade.

Exterior Wall Materials. Emphasis will be on materials appropriate to the traditional nature of Waterway Palms Intracoastal lots.

Siding: Fiber cement products used in exterior applications may appear to be cedar shingle, clapboard or beaded siding meeting certain exposure and finish requirements. Wood is not permitted. Brick and conventional stucco are approved materials, subject to the guidelines that follow:

Exterior fiber cement siding must have a four to six inch (4"- 6") exposure and have a smooth finish. Textured cement based lap siding products will not be allowed. Beaded siding is allowed.

Brick selection must be of traditional southern colors in the brown and gray families or painted an approved color. It must be constructed with a horizontal running bond except at trim details and headers, which should be soldier course. Oversized brick generally will not be approved.

Conventional stucco in approved colors with a sand finish is acceptable. Detailing is very important. Horizontal and vertical control joints may be employed as needed. Synthetic stucco (EIFS) will not be permitted except for window and door trim.

Where building form and massing will allow, combinations of exterior building materials may be approved on the same residence.

Trim: Trim on all homes shall be smooth cement fiber or composite materials, painted or with solid stain. Full vinyl and aluminum soffit and fascia detail will not be allowed.

Chimneys: Chimneys shall be constructed of brick or conventional stucco and must have a metal or masonry cap detail to conceal the spark arrestor

Outdoor Rooms, Porches & Decks Lowcountry architecture and lifestyles have always placed an importance and value on the outdoors as a place of recreation and leisure. While desiring to be closer to the environment, there continues to be, however, a need for shelter from the elements. Typically intimate spaces, outdoor rooms are created through the use of constructed structures such as masonry walls, arbors (a shelter usually of latticework covered with climbing shrubs or vines) and trellises (a frame of latticework used as a screen or as a support for climbing plants). Other outdoor retreats include semi-walled spaces such as cabanas, pavilions and gazebos. Furnishings and plantings are combined to create the atmosphere and ambiance of a room in an open flat space. Further examples include courtyards, terraces, patios, garden rooms, or pool areas. These outdoor rooms are often connected to the main house structure by a pergola (parallel colonnades supporting an open roof of girders and cross rafters). Porches and decks should be designed as an integral part of the house design and overall site plan. They may not appear to be "added on" elements or afterthoughts, but should blend equally with the house and landscape. Bay windows and open front porches are permitted to encroach beyond the front setback / build to line. Additional detailing and landscaping will be required.

Stand Alone Outdoor Structures: Special consideration shall be made with respect to the placement of stand-alone outdoor structures so that they do not impact the field of view of neighboring properties.

Typically, a protected field of view is an angle of 125 degrees off the rear plane of the home taken from the corner of each side.

1. Front porches should either frame doorways or extend across the main front facade of the house and must be a minimum of eight feet (8') deep at every point along the width of the porch.
2. Porch columns, in rear shall be a minimum of 8" square or round and 10 inches square or round in front.
3. Railings should be square or round section balusters with simple horizontal members. Railing detail variety can be achieved by using patterns and spacing.
4. All porches and decks shall have brick or stucco pier foundations. Foundation piers for porches shall be a minimum of fourteen inches (14") square or round. If used, lattice panels should be installed at the back of the pier to create depth and shadow to the foundation wall of decks.
5. All railings, pickets, skirt boards and step risers are to be painted to complement the color of the house. Exposed bottom sides of porches and stairs must be painted or stained.
6. Screened porches must be designed with the screening on the inside of the porch columns and pickets.

Roofs: A variety of roof shapes consistent with southern vernacular (gable, hip, shed roof profiles) will be considered appropriate in Waterway Palms Intracoastal lots. Roof shapes within a home or between a home and ancillary structures on the property should be complementary to one another.

The pitch of the dominant roof should be appropriate for the architectural style of the home. One-and-a-half story homes should have pitches not less than 12:12. Gable dormer roof pitches should match the main roof pitch. Shed dormer roof pitches should not be less than 3:12. Lower sloped roofs will be considered on a case-by-case basis.

Building height should not exceed 2.5 stories in height where the half story does not exceed 50 percent (50%) of the area of the floor directly beneath it. Architectural features that exceed 2.5 stories may be approved on a case-by-case basis. The WWP-ARC will determine appropriate building height during the design review process, where existing site conditions including expected mature tree canopy and neighboring houses will be considered. The Maximum building height allowed on the Intracoastal lots is 45', measured from finished grade at the front build-to line. Height calculation shall be permitted based on Horry County standards, outlined above.

Porch roofs may have lower pitches but not less than 3:12.

Roof material selection for homes in Waterway Palms Intracoastal lots may include slate, synthetic slate, standing seam metal, barrel-vaulted tile (unglazed tile only and as permitted on a case-by-case basis) or a high-quality, 260# architectural grade asphalt shingle, or equivalent style fiberglass architectural shingle.

Roof penetrations (vent stacks, roof vents, etc.) must be painted to match the roof. They are not permitted on front roofs and must be located on surfaces least visible from the street or other public space. Skylights and Solar panels shall appear as an integral part of the roof.

Windows & Doors

1. Windows and doors should be seen as openings in an otherwise continuous surface.
2. Windows should be approximately twice as tall as they are wide.
3. Second floor windows should be shorter than first floor windows.
4. Windows and doors should align vertically or be balanced in their composition.
5. Front entries should be inviting; doors shall be of solid wood and have a high level of detail at the trim and casing around the doorway. Solid wood doors are preferred, other front door solutions will be reviewed on a case-by-case basis, but should relate in design to other fenestration patterns on the home. Two-story entrances are not permitted.
6. Symmetry and/or balance to spacing and relationship of windows and doors are required.
7. Authentic grilles or simulated true divided panes are required on all windows except those facing the Intracoastal Waterway.
8. Exterior grilles permanently applied to the window surface may be permitted.
9. Picture windows, sliding or pivot windows will be considered when they are integrated with the overall patterns on the home.
10. Window trim, pediments and sills are to be richly detailed.
11. All exterior window and door shutters are to be operable and sized to fit the opening.
12. Window vocabulary should be simplified so as to limit the use of "feature" windows. (Feature windows include, but are not limited to, isolated use of window shapes that do not relate to overall window fenestration or building composition.)
13. Window styles should be consistent on all sides of the home.
14. Window head, jamb and sill trim should be appropriate to the architectural style of the home and be consistent fully around the home.
15. The appearance of randomly placed windows on side elevations will not be permitted.
16. The use of window-installed air conditioner units will not be allowed
17. No single hung windows shall be permitted. Screens may be installed on side and rear elevations only and shall be full screens.
18. Each side elevation shall have no fewer than six full sized windows above the garage level, three upper and three on the main floor, in a balanced arrangement.
19. No more than one third of the required windows on any elevation may be closed shutter window imitations.

V. **Construction Guidelines**

A. **Before construction can begin, the owner must**

1. Receive FINAL approval from the ARC of Drawings and Specifications.
2. Obtain all city and county permits and post appropriate permit at job site.
3. Submit **Submittal Form Four** requesting an on-site review.
4. Prepare the site for the review as called for on **Submittal Form Four**.
5. It is required that a copy of the Construction Requirements, this same Article V, be given to all subcontractors.

The **OWNER** has the responsibility of bringing the applicable contents of the following paragraphs of Section B to the attention of all contractors and other persons working on their home construction site.

PENALTIES FOR NON-COMPLIANCE WITH ANY OF THESE PROCEDURES WILL BE DETERMINED BY THE ARC. WHEN A VIOLATION IS IDENTIFIED, FINES WILL BE IMPOSED ON A DAILY BASIS AND WILL BE DEDUCTED FROM THE DEPOSITS. SEE ARTICLE VIII

- B. **Protective Fencing:** Except for where a silt fence is required for the purpose of controlling silt, or as required herein to be placed fully along any street side to protect storm drains, where permitted by local authorities, install orange construction fencing fully along the sides and or rear of the lot. These measures are intended to protect the neighborhood from wind borne debris, neighboring properties from construction damage and to prevent mud being tracked on roads from the construction site. All fencing shall be maintained through the entire term of construction. It is recommended that when permission is granted by a neighboring owner to use their lot for construction, that the silt fence enclosure be extended around this area. The only area along the street not protected by silt fence shall be at the gravel drive or as approved in advance, at the dumpster location.

NOTE: In all cases where adjacent properties are used for staging, yellow caution tape shall be securely placed on posts 36 inches high along the edge of the area to ensure lawn mowing equipment is not damaged by debris. At the end of construction, the contractor shall remove all debris of every nature prior to taking down the caution tape. The contractor shall keep the area within its work zone mowed.

- C. **Silt Fence Construction:** Silt fence fabric shall be embedded at least four inches in the ground with earth packed on the inside to provide closure. Where the fence is placed on a slope, it shall be reinforced in the rear with 4 inch square welded wire fabric. Minimum 2x2 wood posts shall be used for all fencing. All nails to secure the fence fabric shall have plastic caps. Double fencing may be required on a case by case basis as determined by the ARC.
- D. **Site Construction Services:** A separate plan drawing based on the finished site plan shall show the location planned for toilets, dumpsters, construction and silt fencing and temporary gravel drive. Each site should have a temporary driveway 15 feet wide by 25 feet long, minimum. The driveway shall be covered in 2” to 3” coarse aggregate stone or crusher run stone, six inches deep. The stone is intended to keep mud from the street and allow on site construction parking.
- E. **Construction Access:** Access to the community for construction trades will be allowed only between 7am-6pm Monday through Friday. For owners who have signage on their vehicle, the vehicles may be parked outside of their garages between 6 AM and 6 PM any day of the week. Saturday construction is allowed only between 8am-5pm. Access shall only be permitted through the gates at Belvedere and Middleton. **NO** construction will be permitted on Sundays, or Holidays as follows: New Years Day, ML King Day, Presidents Day, Memorial Day, Independence Day, Labor Day, Veterans Day, Thanksgiving, Day After Thanksgiving, Day Before Christmas, Christmas, Day After Christmas. When holiday lands on Sunday, observe on Monday, when it lands on Saturday, observe on Friday. (other than emergency or as published by the ARC).

- To assist contractors who may want “first delivery” from material suppliers, access is granted for delivery vehicles and superintendents on that day may be as early as 6 AM.
- F. **Use of Neighboring Properties:** All properties within Waterway Palms Plantation are owned by the community as a whole, or by an individual owner. It is not permitted to use any common property for any construction activity. Neither the ARC nor HOA can grant permission for any contractor to encroach on a neighboring property. Therefore, it is required that every contractor make arrangements with neighbors as to the extent of use they may make of the adjoining property. This arrangement must be agreed to in writing and the approval provided to the ARC at the time of the site staking review.
 - G. **Special care** is to be taken during construction to preserve all existing vegetation and in protecting neighboring homes and their lot. Clearing, grading, or building on site without prior ARC approval will result in suspension of work and a fine.
 - H. **Temporary power** poles are to be erected plumb. Temporary utilities may be installed for electricity and water as indicated on the site plan.
 - I. **Completion:** All homes must be completed within twelve (12) months from the date of the approved site staking review. The contractor shall remove all permit boxes and any contractor related signage within twelve (12) months from the start of construction.
 - J. **Foot access:** Construction workers will not be allowed to enter or leave Waterway Palms Plantation on foot.
 - K. **Job Seekers:** Subcontractors and construction workers seeking employment at active job sites will be denied access to Waterway Palms Plantation.
 - L. **Use of Community Facilities:** Construction workers are not permitted in or on any Waterway Palms Plantation properties, including restrooms, pool areas, boat docks, boat storage, clubhouse or any other amenity. Violators will be dismissed from the community.
 - M. **No Trespass:** Entering upon any property other than access roads and job site is a trespass.
 - N. **Debris and Litter Control:** The construction site shall be kept free of litter and discarded construction debris. Metal containers must be provided for the debris. Untidy job sites create negative impressions on visitors and property owners. As a result, trash thrown about the site or in open piles is strictly prohibited. Remove crates, cartons, trash, and other flammable waste from work areas at the end of each working day. Non-compliance of this shall result in a fine of \$100 per day. No advanced notice will be provided.
 - O. **Commercial Dumpster:** A commercial grade trash container, minimum 20 CY shall be provided to each site following the placement of the slab. One per job site is required. Dump as often as necessary to keep the job site clean daily. Indicate on the required site plan the location of the dumpster.
 - P. **Roads:** Ensure that debris does not litter the streets and roads.
 - Q. **Concrete:** Concrete trucks shall clean their chutes so that water and concrete debris is totally within the confines of the project’s property lines or is totally outside the Development and nowhere along the roads leading to the Development.
 - R. **Toilets:** Provide one portable toilet for use by construction personnel per job site. Locate at least 25 feet from nearest existing home, street, path, or common pool with the door facing away from existing homes or street. Indicate on the required site plan the location of the portable toilet. Provide wood lattice on the rear and sides of the portable toilet structure to conceal it from the community. Lattice may be natural wood or painted white only.
 - S. **Temporary Services:** The property owner is responsible for arranging for his own utility service connections. Indicate on the final architectural site plan the location of this service.
 - T. **The possession and/or consumption of alcohol or illegal drugs** in Waterway Palms Plantation are prohibited. Police officers will be called to remove violators from the premises. An offender will not be allowed into Waterway Palms Plantation for six (6) months following the offense.
 - U. **Display or discharge of firearms** anywhere on community property or private property by any construction worker is prohibited. Police officers will be called to remove violators

from the premises. An offender of the firearm discharge restriction will be prosecuted, if other than an owner who is protected by law for defense of their home. Lot owners are not permitted to discharge firearms on community property.

- V. **Any nuisance** such as loud radios, use of horns and profanity, is prohibited.
- W. **All construction personnel and visitors** are subject to these regulations and the Covenants of Waterway Palms Plantation. Violators may be denied access to the construction site.
- X. **Fires of any nature** are not permitted during construction.
- Y. **Pets:** Trades people may not have dogs, cats or pets on Waterway Palms Plantation.
- Z. **Minors Restricted:** No one below the age of 16 is permitted on any construction site for any reason at any time. There may be more restrictive requirements by contractor insurers.

LOT OWNER RESPONSIBILITY: The lot owner will be responsible for prompt and approved repairs to curbs, paving, utility lines, mailboxes, adjacent properties and other common property damaged as a result of construction or other site improvements or non-approved clearing of any type. Roads and curbs shall not be cut without the prior approval of Waterway Palms Plantation Architectural Review Board. Any modifications to existing utility lines and facilities required by the construction are the responsibility of the owner. **Damage to an adjacent lot where permission was not received to use the lot shall be remedied immediately using the standards for repair in the landscape guidelines Article VI B 3.**

Homeowners are responsible for enforcement of all regulations contained herein. Advise all contractors of these requirements. **It is required that a copy of these Construction Requirements be given to all contractors and persons working on the home construction site by the lot owner.** Construction personnel in violation of these requirements will be denied access to the Development.

VI. Landscape Guidelines

- A. Outside play or sports equipment is to be screened from neighbors and street, and is to be constructed of wood or other durable material, in finishes which blend with nature.
- B. **MINIMUM LANDSCAPING REQUIRED** is as follows:
 1. Adjoining back yards to be screened with appropriate plant material appropriate to the climate conditions of the area, drought resistant plants are recommended.
 2. Grass: Sod shall be placed on **ALL** exposed disturbed areas on lot. Sod shall extend across property lines and fully down to water line at ponds where lots are on ponds. Artificial grass may be used as part of a pool surround when enclosed with the fence.
 3. Areas on adjacent properties disturbed by construction shall be cleared of all trash and debris. The area shall have all traffic marks raked smooth. Seed and Fertilizer shall be placed over the disturbed area and the ground covered with jute matt to prevent seed from blowing away. The area shall be watered with a sprinkler system using the house or temporary water connection every other day for a minimum of three weeks. Grass seed shall be Centipede, Bahia or St. Augustine. Bermuda grass is discouraged due to its potential for fire spread during the dry season.
 4. At least one 3-gallon foundation shrubs placed every 36 inches on center (OC) fully around the home in all but walk off areas of porches shall be installed. Fronts of homes and side corners exposed to street view shall have a variety of layered evergreen plants. (see also special requirements for Phase I Intracoastal homes)
 5. Three medium-growing hardwood shade trees shall be planted on each lot of at least 3-4" caliper (10' overall height); two placed in front yard. Healthy hardwood trees that remain may be credited. The three required trees shall be a different species. Trees shall be single trunk varieties. An approved alternate is two hardwood trees and two Palm trees at least 10 feet in height. Where two palm trees are installed in the front, a minimum of one hardwood shall be placed in the front as well.
 6. Evergreen trees shall not be placed in rows to restrict an adjacent owner's protected field of view of 125 degrees from the back plane of their home.

7. An irrigation system with automatic timer shall be installed and be fully operational.
 8. The full extent of the planting beds and individual plant varieties shall be identified on the landscape plan. Layers of plants are recommended.
 9. Large areas of mulch without shrub plantings will not be allowed. However, mulch in beds is suggested to retain moisture and limit weeds as well as provide a neat, well-kept appearance.
 10. A landscape plan, drawn to scale AND an irrigation plan shall be presented to the ARC for approval. Planting of a variety of shrub and tree types is required.
 11. Pine Straw ground cover is not permitted due to its potential for sustaining a fire.
- C.** Landscaping as approved by the ARC shall be installed prior to occupancy of the home. Occupancy prior to completion of landscaping shall require the written approval of the ARC, shall be for good cause only, and shall be no earlier than ninety days prior to completion of landscaping.
- D.** No work shall be started until approved by the Waterway Palms Plantation ARC.

IF THE LANDSCAPING HAS BEEN COMPLETED IN ACCORDANCE WITH APPROVED DRAWINGS AND HAS BEEN JUDGED SATISFACTORY UPON FINAL SITE INSPECTION AS PROVIDED HEREIN, THE AMOUNT OF THE **LANDSCAPE PERFORMANCE BOND** OF THE DEPOSIT WILL BE RETURNED ALONG WITH OTHER APPROVED REFUNDS. IF, HOWEVER, IT BECOMES NECESSARY FOR THE REVIEW BOARD TO TAKE ACTION IN ACCORDANCE WITH THE ABOVE PARAGRAPHS, THEN THE COST OF THE WORK DONE AND PENALTIES WILL BE DEDUCTED FROM THE DEPOSIT AND THE BALANCE IN THE ACCOUNT, IF ANY, WILL THEN BE RETURNED.

VII. Featured Architects, Designers and Builders Program

The Waterway Palms Plantation HOA Board of Directors has established a program for the designation of “Featured Architects”, “Featured Designers” and “Featured Builders”, as recognition of those individuals or companies who have demonstrated a high level of professionalism in supporting the objectives of the Architectural Guidelines and as such is identified as a featured professional on the Waterway Palms Plantation website and on the Architectural Review site. The listing may assist lot owners who wish to build a home in selecting competent professionals to work with. However, neither the Waterway Palms Plantation HOA nor ARC endorses to any degree the professional listed. Owners should make their own assessments of the professionals based on their own criteria and level of due diligence. The listing provided is only to say that the professional has prepared design and construction documents or built a home which is compliant with the Guidelines and meets certain standards which are solely for the benefit of the Home Owners Association.

“Featured Architects and Designers” shall be those individuals who are either Licensed Professional Architects, or who are skilled and knowledgeable residential designers capable of meeting the needs of owners and who can design unique custom homes meeting the thematic intent of Charleston/Low Country. Upon acceptance on the list, they may advertise themselves as Featured Architects or Featured Designers in media, on their websites and on approved custom signs within the community. Persons or companies wishing to be listed as a Featured Architect or Featured Designer with the Waterway Palms Plantation Community shall meet the following criteria.

(a) A “Featured Architect” is an individual who is licensed by the State of South Carolina as an Architect and whose business is independently owned by the Architect or who is a member of a licensed Architectural firm. A Featured Architect must have completed at least one design which bears their seal and which was approved for construction within the community.

(b) A “Featured Designer” is an individual or firm which is independently owned and operated by the designer or which has majority ownership by design professionals. The individual or business must have a business license issued by Horry County. A Featured Designer must have completed at least three custom Charleston/Low-country themed home designs which includes a complete set of coordinated construction documents which were approved for construction within the community.

(c) Featured Architects and Designers are charged with creating custom home designs and must not settle on traditional tract home designs. Each home design within the community must be unique and not a duplicate of other homes within the community as far as front elevations and street facing side elevations. Therefore, designers must make an effort to become familiar with designs currently within the community as well as thoroughly understand and implement the Architectural Guidelines.

(d) Featured Architects and Designers must prepare drawings of high quality, with details, specifications and schedules (both interior and exterior), which fully delineate the work to be done. Meeting the minimum requirements listed in the Guidelines does not in itself qualify a designer as a Featured Designer, although the work may meet the minimums in order to qualify the home for construction.

(e) Featured Architects and Designers must ensure all documents required for the review and for construction including site plan, architectural drawings, specifications and schedules, mechanical HVAC, electrical, plumbing and structural drawings are coordinated with one another.

Featured Architects or Designers may place one “approved” sign with identifying information on a construction site after the Builder has received written approval to construct the home by the WPP-ARC.

All “Featured” signs must be in accordance with the standard promulgated by the Architectural Guidelines.

“Featured Builders” shall be those licensed Contractors and Residential Builders who have proven their ability to construct a quality home within the Waterway Palms Plantation Community and as such may advertise themselves as Featured Builders in media, on their websites and on approved custom signs within the community.

A Builder is eligible to be considered for the list following completion of a home built within Waterway Palms Plantation which is fully compliant with the Architectural Guidelines. Until a home is built in full compliance with the Guidelines, the builder shall not be permitted to use the designation “Waterway Palms Plantation – Featured Builder”. A Builder who subsequent to being added to the list builds a non-compliant home will be removed from the list and may no longer use signs other media representing themselves as Featured Builders. No other designation such as Preferred or Participating Builder shall be permitted to be used by any builder in the community as these designations are not valid.

For Featured Builder applicants, the Builder must complete the Waterway Palms Plantation Featured Builder Application Form to acknowledge his/her references and recent history of successful construction of homes similar to those permitted by the Guidelines. The qualifying home which was built in Waterway Palms Plantation shall be included in this list. Furthermore, the Builder must not represent themselves as the designer. It must receive its construction documents from an independent architectural or residential design firm.

Failure to report a fine or judgment by a code official within 30 days of enforcement shall result in removal from the list. Failure to report a stop work order by a code official within seven days shall result in removal from the list.

All Builders are required to meet the following conditions:

(a) The Builder must possess a valid license issued by the State of South Carolina, either as a General Contractor or as a Residential Builder. The Builder shall provide the name of the owner of the construction firm as well as the name and license number of the person holding the license for the company. The builder may elect to have a qualified job superintendent manage the day to day activities of the project. The name and qualifications of the superintendent shall be provided to the WPP-ARC for each project.

(b) For each new project, the Builder is required to pay requisite Road Bonds, Compliance Security Deposit and Landscape Bond from their own funds, as opposed to using owner provided funds in the case where the home is for a lot owner other than themselves.

(c) With regard to all activities conducted under these Guidelines, Builder shall carry insurance as required under this Article.

(d) The builder must report any judgments against them for any reason, and must acknowledge any fines they were required to pay due to any violation of building code or site safety considerations. They must report any orders by a code official to stop work for any reason.

(e) All builders shall install site signs as prescribed by the signage program established by the ARC.

Builder Insurance requirements: (Submit insurance endorsements to the Association Manager with the Site Staking Review Request)

With regard to all activities conducted under these Guidelines, Builder shall carry public liability insurance in a solvent insurance company licensed to do business in the State of South Carolina. The limits of public liability (including products and completed operations liability) shall not be less than \$2,000,000.00 per occurrence, combined single limit for bodily injury and property damage subject to an annual aggregate of \$2,000,000.00 applicable to products and completed operations liability. Builder will arrange for the Waterway Palms Plantation Home Owners Association, its Board of Directors and its agents to be named as “Additional Insured” on such liability insurance.

During the term of these Guidelines, Builder shall ensure the home is fully insured during construction against loss of damage by “all risk” perils, including but not limited fire, vandalism, malicious mischief, casualty and all other available extended coverage insurance in a sum not less than 100% of the full replacement value of the insured property. Said policies are to be written by companies licensed to do business in the State of South Carolina. Owners should pay the cost of the Builders Risk policy.

Builder shall secure and maintain in effect and at its expense insurance of the following kinds and limits to cover Builder’s employees and all locations of Builder’s operations in connection with work on Builder’s projects:

1. Workmen’s Compensation with Statutory limits of liability, and
2. Employer’s Liability with a limit of availability of at least \$2,000,000.00 per accident.

In compliance with the requirements herein, at the time Submittal Form One is delivered to the Association Manager, copies of all policies required pursuant to these Guidelines shall be provided, together with evidence of payment thereof, including an endorsement which states that such insurance may not be changed, altered or cancelled, except upon thirty days prior written notice to the Waterway Palms Plantation Home Owners Association Board of Directors.

VIII SUMMARY OF FINES:

Builders will be notified using the review site when fines are levied as follows:

1. For allowing trash to accumulate on the site and or spill over onto neighboring properties, or for leaving mud on the street at the end of the week: \$100 per day.
2. For failure to maintain the silt fence allowing silt to discharge into the community storm water system, \$200.00 per day, which may be increased if additional remediation is required.
3. For working outside of permitted hours on any given day: \$100 per hour or fraction thereof.
4. For violating the Sunday or holiday working restrictions: \$500 per day.
5. For commencing any construction activities prior to the review and written approval of the Architectural Review Committee: \$500.00. Additional fines of \$100 per day can be assessed if construction continues without SARC approval. A Cease and Desist Notice will be issued when the infraction is discovered.
6. For allowing delivering of materials outside of the hours of 6 AM to 6 PM M-F. \$100 per incident.
7. For installing non-approved windows: \$500 per window up to \$5,000.00
8. For not meeting minimum height requirement for the finished first floor or porch depth less than specified: \$5,000.00.
9. For exceeding the one year construction time frame, or approved extensions: \$1,000 per each 15 calendar days up to \$5,000.00
10. Failure to formally request a dry-in review within two weeks following the installation of roof, window and house wrap. \$150.00 per week, or fraction thereof, beginning week three.
11. Failure to maintain the sample board or required site signage. \$25.00 per day or fraction thereof.



**WATERWAY PALMS PLANTATION ARCHITECTURAL REVIEW
MINOR PROJECT APPLICATION
(ONE PAGE)**

**Submit this form for Minor Projects (only)
See Article II G**

SUBMIT THIS FORM AND APPLICABLE FEE ONLY, TO:
WATERWAY PALMS PLANTATION HOMEOWNERS ASSOCIATION, INC.
c/o Kimber Ammerata - Kuester Real Estate Services
1113 44th Ave N, Suite 101 Myrtle Beach, SC. 29577
Fax: 843.839.9706 e-mail: Kimber@kuester.com

REGISTRANTS WILL BE NOTIFIED BY E-MAIL HOW TO MAKE SUBMITTALS.
All submittals will be digital and must be uploaded to the Charette Architects Review site

COMPLETE THE FOLLOWING:

Lot Number: _____ - MP (Project will be registered with – MP in suffix)
Lot Street Address _____
Registrant Name (primary contact): _____
Registrant e-mail address: _____
Registrant Telephone: (_____) _____
Lot Owner (if different): _____
Lot Owner e-mail address: _____

1. _____ Initial: Minor Project Application Fee of \$75.00 is attached.
Make Check payable to: Waterway Palms Plantation HOA
2. _____ Initial: Minor Project has been exempted from a review fee.

OWNER ACKNOWLEDGES THAT HE/SHE HAS READ AND AGREE TO CONFORM TO THE WATERWAY PALMS PLANTATION ARCHITECTURAL GUIDELINES IN THE EDITION DATED JANUARY 2014.

Lot Owner Signature _____ Date: _____

Once you are logged onto the review site, upload a description of your proposed work or a graphic to the review site. The review period may take up to ten days. The registrant will be notified by email from the review site of the ARC determination.

A GATE CODE WILL BE PROVIDED BY THE ASSOCIATION MANAGER BY FAX OR E-MAIL AFTER THIS FORM IS PROCESSED:

THAT NUMBER IS:
(Provide this code to your on-site staff and subcontractors)



**ARCHITECTURAL REVIEW
FORM ONE – SCHEMATIC REVIEW REQUEST**

DELIVER THIS FORM AND FEES IF APPLICABLE TO:
WATERWAY PALMS PLANTATION HOMEOWNERS ASSOCIATION, INC.
c/o Kimber Ammerata - Kuester Real Estate Services
1113 44th Ave N, Suite 101 Myrtle Beach, SC. 29577
Fax: 843.839.9706 e-mail: Kimber@kuester.com

COMPLETE THE FOLLOWING:

Lot Number: _____ Lot Address: _____
Lot Owner: _____
Registrant Name (primary contact): _____
Registrant e-mail address: _____
Address: _____ City _____ State _____
Telephone: _____ Fax: _____ (w/area code)

ALSO, CONFIRM THE FOLLOWING FEES ARE INCLUDED WITH THE APPLICATION:

- I. Initials _____ Homeowner’s fees paid to HOA for current year, or attached herein.
- II. Initials _____ We are not the lot owner, are purchasing a lot have not obtained the title, or are an owner wishing to place the lot with a conceptual plan on the market and are requesting a Schematic Review. (Provide Review Fee of \$250.00 with the application)

Make Checks Payable to Waterway Palms Plantation HOA

IMPORTANT GENERAL NOTE: All submittals after this form are to be digital. There is no regular meeting time for the ARC. Reviews will commence upon receipt of the digital submittal and typically are completed within two weeks. Incomplete submittals will be rejected, requiring a further submittal. Submittals are required for Schematic, Design Development and Construction Document Reviews.

All formal ARC determinations will be placed on the Charette Architects Review Site.

By: (Signature) _____
Print Name: _____ Title: _____

A GATE CODE WILL BE PROVIDED BY THE ASSOCIATION MANAGER BY FAX OR E-MAIL AFTER THIS FORM IS PROCESSED:

THAT NUMBER IS:

(Provide this code to your on-site staff and subcontractors)

**WATERWAY PALMS PLANTATION
ARCHITECTURAL REVIEW
FORM TWO – DESIGN DEVELOPMENT REVIEW REQUEST**

DELIVER THIS FORM AND FEES TO:
WATERWAY PALMS PLANTATION HOMEOWNERS ASSOCIATION, INC.
c/o Kimber Ammerata - Kuester Real Estate Services
1113 44th Ave N, Suite 101 Myrtle Beach, SC. 29577
Fax: 843.839.9706 e-mail: Kimber@kuester.com

COMPLETE THE FOLLOWING:

Lot Number: _____ Lot Address: _____
Lot Owner: _____
Registrant Name (primary contact): _____
Registrant e-mail address: _____
Address: _____ City _____ State _____
Telephone: _____ Fax: _____ (w/area code)

ALSO, CONFIRM THE FOLLOWING FEES ARE INCLUDED WITH THE APPLICATION: (Revised 10/2/14)

- I. Initials _____ Homeowner’s fees paid to HOA for current year.
- II. Initials _____ ARC Review fee – New Home: \$1,000.00. (Remodel \$475.00 and includes final site inspection)
- III. Initials _____ New Construction Compliance Security Deposit: \$5,000.00
- IV. Initials _____ New Construction Road Bond: \$2500.00
(See Article IV-B \$500 shall be retained by the HOA as an impact fee)
- V. Initials _____ New Construction Landscape Bond \$1,000.00
- VI. Initials _____ Remodel: Compliance Security Deposit: \$1,500 (all inclusive no impact fee retained)
- VII. Initials _____ Dock review Fee: \$250.00. Includes plan review and site review at completion.

**NOTE: FEES AND DEPOSITS ARE TO BE PAID VIA CHECKS PAYABLE TO:
WATERWAY PALMS PLANTATION HOA**

- **FEES FOR A NEW HOME (Items II, III, IV and V) SHALL BE MADE IN THE FOLLOWING MANNER:**
1 Check for \$500.00, 1 Check for \$1,000, and 1 Check for \$8,000.00
- The Checks for \$500.00 and \$8,000.00 must be paid by the General Contractor from their bank account.
- All submittals after this form must be digital. There is no regular meeting time for the ARC. Reviews will commence upon receipt of the digital submittal and typically are completed within two weeks. Incomplete submittals will be rejected, requiring a further submittal.

Date Submitted: _____ Proposed Construction Start: _____
By: (Signature): _____
Print Name: _____ Title: _____

Shaded Areas To Be Completed By WPPHOA Association Manager			
WPPHOA Fees Current?	<input type="checkbox"/> YES <input type="checkbox"/> NO	Amount of WPPHOA FEES Due: \$ _____	Check#: \$ _____
Check#: \$500.00 (By GC)	Check#: \$1,000.00	Check#: \$8,000.00 (By GC)	Check#: \$ _____
Other:	Check#: \$ _____	Check#: \$ _____	Checks Paid BY: _____
Application Received By: _____			Date: _____

A GATE CODE WILL BE PROVIDED BY THE ASSOCIATION MANAGER BY FAX OR E-MAIL AFTER THIS FORM IS PROCESSED:

THAT NUMBER IS:
(Provide this code to your on-site staff and subcontractors)

**WATERWAY PALMS PLANTATION
ARCHITECTURAL REVIEW
FORM THREE – MATERIALS OF CONSTRUCTION**

SUBMITTAL FORM TWO MUST BE COMPLETED AND SUBMITTED TO THE ASSOCIATION
MANAGER WITH ALL FEES PRIOR TO SUBMITTING THIS FORM TO THE REVIEW SITE.

DATE OF THIS SUBMITTAL: _____ **LOT #:** _____

(check one) **DESIGN DEVELOPMENT (DD)** _____ **CONSTRUCTION DOCUMENT (CD)** _____

PROPERTY ADDRESS: _____

OWNER: _____

CURRENT ADDRESS: _____

CITY/STATE/ZIP: _____

PHONE(S): _____ EMAIL _____

DESIGNER¹ (see footnote below) _____ License Number: _____

MAILING ADDRESS: _____

CITY/STATE/ZIP: _____

PHONE: _____ EMAIL: _____

GENERAL CONTRACTOR: _____ License Number: _____

MAILING ADDRESS: _____

CITY/STATE/ZIP: _____

SUPERINTENDENT _____

PHONE: _____ EMAIL _____

PRIME SUBCONTRACTOR: _____ PHONE _____

PRIME SUBCONTRACTOR: _____ PHONE _____

PRIME SUBCONTRACTOR: _____ PHONE _____

PRIME SUBCONTRACTOR: _____ PHONE _____

PRIME SUBCONTRACTOR: _____ PHONE _____

HEATED SQ. FT. *2 **1ST FLOOR** _____ (see footnote below) **2ND FLOOR** _____

OTHER: _____ **SUBTOTAL** _____ (Heated). **SUBTOTAL** _____ (Unheated under roof)

TOTAL SQ. FT. (ADD SUBTOTALS): _____ (Under Roof) **PORCH/ DECK** _____ SF

1 WATERWAY PALMS PLANTATION REQUIRES DESIGNERS TO HAVE A LICENSE IN THEIR NAME OR BE A FULL TIME EMPLOYEE OF A COMPANY THAT DOES HAVE A LICENSE, OTHER THAN A BUILDER LICENSE.

2 The HEATED SQUARE FOOTAGE shall be measured to the inside face of the interior finish materials of the perimeter walls. (IBC and IRC method for measuring area. Real Estate measurement standards may be different)

EXTERIOR MATERIALS: (upload this page to the review site for both DD and CD Reviews. Color selection is required for CD Review only.) Provide manufacturer, product name and color.

(check one) DESIGN DEVELOPMENT (DD) _____ CONSTRUCTION DOCUMENT (CD) _____

BRICK: _____ COLOR: _____ (colors at CD only)

STONE: _____ COLOR: _____

STUCCO: _____ COLOR: _____

SIDING: _____ COLOR: _____

OTHER: _____ COLOR: _____

ROOF MATERIAL MFG: _____ COLOR: _____ (see Article III D)

ROOF MATERIAL MODEL OR STYLE: _____

WINDOW MFG. _____ COLOR: _____

WINDOW SERIES: _____ Window should be listed as approved in Article III I?

TRIM: _____ COLOR: _____

MAIN EXTERIOR DOOR MFG: _____ COLOR: _____ STYLE _____

SHUTTERS: _____ COLOR: _____

DRIVEWAY: _____ COLOR: _____

SIDEWALKS: _____ MUST MATCH COMMUNITY STANDARD

OTHER: _____ COLOR: _____

GARAGE DOOR: _____ COLOR: _____

FIREPLACE? YES NO CHIMNEY MATERIAL: _____

UNVENTED GAS FIRE PLACES AND EXPOSED METAL STACKS ARE NOT PERMITTED.

EDITION DATE OF GUIDELINES USED FOR THIS SUBMITTAL IS AS NOTED IN THE FOOTNOTE TO THIS PAGE.

THE UNDERSIGNED CERTIFIES THAT HE/SHE WILL OBTAIN, PRIOR TO THE START OF CONSTRUCTION ACTIVITIES, BUILDING AND ZONING PERMITS ISSUED BY THE AUTHORITY HAVING JURISDICTION.

I acknowledge that I have completed and included everything on this checklist prior to submitting for architectural review. I understand that this information has been requested by the WATERWAY PALMS PLANTATION HOMEOWNERS ASSOCIATION, INC prior to my obtaining bank loans or building permits, and the full cost of any delay resulting from the association not approving the plans, if reviewed and approved within 45 days, or if not approved, with re-submittals for non approvals within an additional 45 days from my re-submittal, are at my sole expense. I furthermore certify herein that I have obtained written permission from the architect or designer of my home to use their drawings to construct their design on my lot.

Lot Owner Signature

Date

**WATERWAY PALMS PLANTATION
ARCHITECTURAL REVIEW**

SUBMITTAL FORM FOUR - REQUEST FOR ON-SITE REVIEWS

LOT # _____ UPLOAD THIS FORM EACH TIME A REVIEW IS REQUESTED

1. REQUESTING A SITE STAKING (PRE-CONSTRUCTION) ON-SITE REVIEW:

A PRE-CONSTRUCTION REVIEW MUST BE SCHEDULED TEN BUSINESS DAYS IN ADVANCE AND APPROVAL TO PROCEED MUST BE ISSUED PRIOR TO BEGINNING ANY CONSTRUCTION.

**INSURANCE ENDORSEMENTS ARE REQUIRED TO BE ATTACHED TO THIS REQUEST (ARTICLE VII)
CONTRACTOR MUST ALSO UPLOAD TO THE ARC REVIEW SITE A COPY OF THEIR CONTRACT WITH
THE OWNER, WITH COSTS DELETED, BUT INDICATING THAT THE FULL SCOPE OF WORK FOR THE
HOME WILL BE PERFORMED UNDER THEIR CONTRACT. THIS INCLUDES LANDSCAPE AND ALL
INTERIOR FINISHES.**

THE FOLLOWING ITEMS MUST BE IN PLACE PRIOR TO CALLING FOR THE SITE STAKING REVIEW.

- a. Markers for Lot Lines, setback lines and house outline.
- b. Silt fence and construction fence fully around the site.
- c. ARC approved signage, dumpster, port-o-jon.
- d. Service drive with stone.
- e. Temporary Electrical and Water Connection. (water shall have a siphon break on the hose bib)
- f. The Sample Board. Either stand alone or applied to street side of toilet enclosure.
- g. Tree protection
- h. Letter of approval to use any adjacent lot.
- i. Caution tape marking outline of any area planned for use to store material, not within silt fenced area.

**NOTE: FAILURE TO HAVE ANY OF THESE ITEMS IN PLACE PRIOR TO THE FIRST ON-SITE REVIEW
WILL AUTOMATICALLY REQUIRE AN ADDITIONAL SITE REVIEW AT AN ADDITIONAL \$150.00
EXPENSE TO THE CONTRACTOR.**

Signature of Person Requesting Review:

Date

2. REQUESTING A REVIEW AT DRY-IN

AT THE POINT THAT THE HOME HAS FINISHED ROOFING, WINDOWS AND HOUSEWRAP ARE INSTALLED, THE BUILDER SHOULD NOTIFY THE ARC TO CONDUCT A DRY-IN REVIEW. THE REVIEW WILL BE SCHEDULED AS SOON AS PRACTICAL BY THE REVIEWERS. CONSTRUCTION SHOULD CONTINUE WITHOUT REGARD TO THE TIMING OF THIS ON-SITE REVIEW. FAILURE TO CALL FOR THIS REVIEW WITHIN TWO WEEKS OF DRY-IN WILL RESULT IN A FINE (SEE ARTICLE VIII) NOTE ALSO, LANDSCAPE PLANS MUST BE SUBMITTED PRIOR TO CALLING FOR THIS REVIEW.

Signature of Person Requesting Review:

Date

3. REQUESTING A FINAL REVIEW:

UPON COMPLETION OF THE HOME AND ALL LANDSCAPING AND FEATURES, THE OWNER OR BUILDER SHOULD CALL FOR A FINAL REVIEW. THIS REVIEW WILL BE PERFORMED TYPICALLY WITHIN TWO WEEKS OF THE REQUEST. THE REVIEW WILL BE MADE WITH RESPECT TO SITE CLEAN-UP AND WILL RESULT IN APPROVAL OF ANY BOND MONIES THAT ARE TO BE REFUNDED TO THE OWNER OR BUILDER. ADDITIONAL FOLLOW UP REVIEWS WILL BE BILLED AT \$150 PER REVIEW.

Signature of Person Requesting Review:

Date

UPLOAD THIS FORM EACH TIME A REVIEW IS NEEDED

**WATERWAY PALMS PLANTATION
ARCHITECTURAL REVIEW**

SUBMITTAL FORM FIVE (one page)

**WATERWAY PALMS FEATURED BUILDER, ARCHITECT AND DESIGNER
APPLICATION**

DELIVER THIS FORM TO:

WATERWAY PALMS PLANTATION HOMEOWNERS ASSOCIATION, INC.

c/o Kimber Ammerata - Kuester Real Estate Services

1113 44th Ave N, Suite 101 Myrtle Beach, SC. 29577

Fax: 843.839.9706 e-mail: Kimber@kuester.com

THIS FORM IS REQUIRED TO BE COMPLETED BY ANY PROFESSIONAL BUILDER, ARCHITECT OR DESIGNER WISHING TO BE CONSIDERED FOR THE WATERWAY PALMS PLANTATION FEATURED LIST.

COMPANY NAME: _____ TEL: _____
INDIVIDUAL APPLICANT: _____ TEL: _____
SC OR HORRY COUNTY LICENSE NUMBER: _____ LICENSE TYPE: _____
E-MAIL ADDRESS: _____ ATTACHED RESUME YES NO (circle one)

(FEATURED BUILDER, ARCHITECT OR DESIGNER MUST COMPLY WITH SPECIFIED REQUIREMENTS STATED IN ARTICLE VII)

LIST ONE (MINIMUM) OR MORE HOMES YOU HAVE BUILT OR DESIGNED AND HAD APPROVED IN WATERWAY PALMS PLANTATION WHICH YOU WOULD LIKE TO USE TO BE CONSIDERED FOR THE FEATURED PROFESSIONALS PROGRAM. HOMES CONSIDERED MUST HAVE BEEN FULLY COMPLIANT WITH THE GUIDELINES WITH NO EXCEPTIONS NOTED ON ANY REVIEW.

HOME NUMBER ONE: CIRCLE ONE: CHARLESTON LOWCOUNTRY

Lot Number: _____

Client Name: _____

Total Heated Space: _____ Year Completed: _____

HOME NUMBER TWO: CIRCLE ONE: CHARLESTON LOWCOUNTRY

Lot Number: _____

Client Name: _____

Total Heated Space: _____ Year Completed: _____

I HAVE READ AND AM FAMILIAR WITH THE WATERWAY PALMS COVENANTS AND ARCHITECTURAL GUIDELINE EDITION DATED AS NOTED AT BOTTOM OF PAGE: _____.

SIGNATURE OF PROFESSIONAL MAKING SUBMITTAL: _____

DATE: _____

Printed Name: _____ TITLE: _____

UNIFORM FIELD REPORT 1

FORM 6 LOT REVIEW AT SITE STAKING

(Note: THIS FORM IS ONLY APPLICABLE FOR SITE CONSTRUCTION ISSUES)

Community: _____
Lot Number: _____ Review Date: _____ Time: _____
Street Address: _____
Homeowner: _____
Builder: _____

Road and Curbing: Note pre-construction damage

Water Meter: Condition of cover and piping: _____
Type of protection: _____ Siphon Break: Yes No
Sewer System: Condition of cover and piping: _____
Type of protection: _____
Silt Fence Location: Road Side _____
Interior property lines _____
Condition of Stone for driveway and location of dumpster/port-a-potty, site trash: _____

Sample Board: All materials on board? If No, explain: _____ Approved: Yes NO

Building materials stored: If planned for neighboring property is permission authorized? If No, explain: _____

Site Boundaries Marked? _____
House staked as noted on plan? _____
Special Conditions: _____

Community Work Hours: M-F _____ (am) _____ (pm) Saturday _____ (am) _____ (pm) Sunday _____ (am) _____ (pm)

NOTES: Builder/Homeowner are responsible for maintaining site: Builder/Homeowner shall keep roadway clean of all debris. Roadways are to be swept clean by 5:00 PM each Friday. If not maintained HOA will have roadways cleaned and bill the homeowner.

Building materials delivered to the site: If building materials delivered to the site spill onto roadway it is the responsibility of the delivery company/Builder/Homeowner to clear materials from roadway. If not cleared from roadway after notification by community management, HOA will have roadway cleaned and bill the homeowner.

Requirements for neighboring sites: Homeowner/Builder must have written approval to place the following on adjoining properties: Dumpster, building materials, construction equipment, vehicle parking and landscaping materials. Damage to neighboring property will be responsibility of homeowner under construction to make necessary repairs to bring impacted property back to pre-construction condition. Approval letter from adjacent lot owner provided: N/A YES NO Explain: _____.

Signatures: (Note: representative required on site at time of review)

Homeowner: _____ Date: _____
Builder: _____ Date: _____
ARC/ACC: _____ Date: _____

- | | |
|--|--|
| <input type="checkbox"/> Approved (To Proceed with Construction) | <input type="checkbox"/> Not Approved |
| <input type="checkbox"/> Approved With Conditions | <input type="checkbox"/> Incomplete--Add'l On Site Review Required |
| <input type="checkbox"/> Non-Compliant - Requires Resolution _____ | |

* Indicates Items to be Resolved

Photos on file? YES NO

UNIFORM FIELD REPORT 2 FORM 7 LOT REVIEW AT DRY-IN

Community: _____
Lot Number: _____ Review Date: _____
Street Address: _____
Homeowner: _____
Builder: _____

Road and Curbing: Note any damage due to current construction: _____

Water Meter: Condition of cover and piping: _____
Type of protection: _____ Siphon Break: Yes No

Sewer System: Condition of cover and piping: _____
Type of protection: _____

Silt Fence Condition: Road Side: _____

Interior property lines _____

Condition of Stone for driveway and location of dumpster/port-a-potty, site trash: _____

Sample Board: Materials on home same as board? If No, explain: _____

Building materials stored: If on neighboring property is permission authorized? If No, explain:

Exterior Home Massing and Details as approved: If no, explain: _____

Windows and Doors: Confirm correct style and size: _____

Roofing: Confirm Manufacturer and Style: _____

Landscape Elements as approved: If no, or plan not yet submitted, explain: _____

Signatures: (Note: representative required on site at time of review)

Homeowner: _____ Date: _____

Builder: _____ Date: _____

ARC/ACC: _____ Date: _____

- | | |
|--|---|
| <input type="checkbox"/> Approved | <input type="checkbox"/> Not Approved |
| <input type="checkbox"/> Approved With Conditions | <input type="checkbox"/> Incomplete – Add'l On Site Review Required |
| <input type="checkbox"/> Non-Compliant – Requires Resolution _____ | |

* Indicates Items to be Resolved

Photos on File? YES NO

UNIFORM FIELD REPORT 3 FORM 8 LOT REVIEW AT FINAL

Community: _____
Lot Number: _____ Review Date: _____
Street Address: _____
Homeowner: _____
Builder: _____

Road and Curbing: Note any damage due to current construction: _____

Water Meter: Condition of cover and piping: _____

Sewer System: Condition of cover and piping: _____

Silt Fence Condition: Road Side removed? If no explain: _____

Interior property lines removed? _____

Condition of Stone for driveway and location of dumpster/port-a-potty, site trash: All removed?

Sample Board: Materials on home same as board? If No, explain: _____

General Condition of Roadway: Needs cleaning and/or other: _____

Condition of curb or road: _____

Building materials stored: If on neighboring property was property restored? _____

Exterior Home Massing and Details as approved: If no, explain: _____

Landscape Elements as approved: If no, explain: _____

Mailbox _____

Signatures: (Note: representative required on site at time of review)

Homeowner: _____

Date: _____

Builder: _____

Date: _____

Is Security Deposit Authorized for release? Explain YES or NO:

Is there any outstanding claim with the contractor's insurance company with respect to community property pending resolution? If yes, explain: _____

Were any fines levied during construction? If so, identify: _____

ARC/ACC: _____ Date: _____

- | | |
|--|---|
| <input type="checkbox"/> Approved | <input type="checkbox"/> Not Approved |
| <input type="checkbox"/> Approved With Conditions | <input type="checkbox"/> Incomplete – Add'l On Site Review Required |
| <input type="checkbox"/> Non-Compliant – Requires Resolution | _____ |

* Indicates Items to be Resolved Photos on File Yes No

**WATERWAY PALMS PLANTATION
ARCHITECTURAL REVIEW**

SUBMITTAL FORM NINE (one page)

SIDEWALK & STORM DRAINAGE EASEMENT ACKNOWLEDGEMENT

If a sidewalk exists on your lot, your builder will be required to saw-cut it prior to the construction of your home. When the driveway slab is placed, the sidewalk shall also be re-built. Homeowner will be held responsible for any damage done to the sidewalk. Photographs SHALL BE TAKEN BY HOMEOWNER AND MAY BE taken by the ARC to catalog current sidewalk, curb & pavement conditions, and the homeowner will certify whether there is or is not existing damage prior to commencing construction.

It is the responsibility of homeowner and their builder to ensure that storm drainage easement lines are not driven across, as heavy trucks will damage these pipes. If the lot contains a drainage easement, it is the homeowner's responsibility to install silt fence along this property line (that will remain in place for the duration of construction) to ensure that subcontractors do not inadvertently drive over these lines.

I/We, _____, as homeowner(s) of lot # _____ in Waterway Palms Plantation, hereby declare that I/We have inspected the sidewalk, curb and pavement adjoining my lot. I/We hereby certify there IS or IS NOT (circle one) damage to said improvements and promise to return anything damaged resulting from this construction to their original condition at the completion of construction to my home.

If there is damage, identify it herein and also submit digital photos of damage:

In addition, I/We certify that I/We have received a copy of, and have initialed the plat indicating any easements on my property (copy attached). As homeowner, I/We understand that I/We am (are) responsible for ensuring the storm drainage lines are held intact by taking the precautions as set forth above.

Signatures:

Homeowner: _____ **Date:** _____

Builder: _____ **Date:** _____

WATERWAY PALMS PLANTATION
ARCHITECTURAL REVIEW
SUBMITTAL FORM TEN (one page)
FENCING DISCLOSURE

Article VI, Section 8, Paragraphs I & 2 of the Conditions, Covenants & Restrictions for Waterway Palms Plantation detail that no fences or structures shall be erected outside of the setbacks designated on each lot unless given prior written consent of Declarant, whose successor is the HOA Board:

The HOA Board, its agents, employees and assignees shall have no liability for damage which may occur to any structures, plants, trees, or other items which may be located in such utility and drainage easements and The HOA Board shall have no obligation to replace any such structures which may be removed or damaged due to maintenance, repair or other work performed in such easement areas. The HOA Board further specifically reserves unto itself, its successors and assigns, perpetual, alienable, commercial easements over and under all Lots along an area 5 feet in width inside each boundary line of each Lot and 10 feet along the front and rear of each Lot for the purpose of installation, construction, maintenance, repair, replacement, use and operation of utilities and utility systems of all kinds (including but not limited to water, sewer, electric and natural gas), drainage (including but not limited to storm water and surface drainage), and access. The easements shall be in addition to, and not in limitation of, any and all other easements reserved unto The HOA Board herein.

I/We, _____, as homeowner(s) of lot # _____ in Waterway Palms Plantation, hereby agree that if I/We choose to construct a fence outside the setback, that I/We shall hold Waterway Palms Plantation, LLC, its agents, successors, and assignees harmless for removal, reconstruction or replacement of any structures, plants, trees or other items, in the event access to the easement becomes necessary. Furthermore, I/We _____ shall be responsible for any cost and expense in the removal or reconstruction of said structure.

Signatures:

Homeowner: _____ **Date:** _____

Builder: _____ **Date:** _____

WATERWAY PALMS PLANTATION
ARCHITECTURAL REVIEW
SUBMITTAL FORM ELEVEN (one page)
LOT GRADING PLAN / DETAIL

Upon initiating the Architectural Review Process, Waterway Palms Plantation, LLC, shall provide each homeowner with a lot grading detail; which will include not only a lot grading plan for your builder to use as a guide, but also for locating utilities (i.e. fire hydrants, water meters, etc.). This detail conforms to all county regulations and must be strictly adhered to.

This detail, or a copy of this document, must be provided to the contractor or builder, as their compliance will ensure that any movement of soil does not adversely affect an adjoining home site.

I/We, _____, as homeowner(s) of lot # _____ in Waterway Palms Plantation, hereby agree that I/we have received a copy of the Lot Grading Detail, and that I/we shall hold Waterway Palms Plantation, LLC, its agents, successors, and assignees harmless for damage, reconstruction, or replacement of any structures, plants, trees or other items, in the event the grading of the above mentioned lot adversely affects this or any properties within Waterway Palms Plantation subdivision. Furthermore, I/we shall be responsible for any cost and expenses in the reconstruction or removal of said structure.

Signatures:

Homeowner: _____ **Date:** _____

Builder: _____ **Date:** _____

**WATERWAY PALMS PLANTATION
ARCHITECTURAL REVIEW**

**SUBMITTAL FORM TWELVE (one page)
WATERFRONT LOT - DOCK APPLICATION**

All dock additions along the ICW require an application to the Architectural Review Committee.

The applicant should engage a Contractor specializing in marine construction who can provide specific guidance with respect to surveys and work with the Army Corps of Engineers who have issued and maintain the permit for dock construction in the community.

Submit Form Two and the fees required under item VII to the Association Manger who will log you into the review site where all information concerning the dock addition should be submitted. You will be provided a location to upload your dock information.

Upload this form, signed, with your documentation for the dock including a drawing showing placement and associated construction details. The committee will review the application and provide final approval to commence the work.

Also, the Army Corps of Engineers has given the community a permit which expires in 2016. The permit allows for dredging at the dock location, which is likely to be needed. The full cost of the dredging and the dock construction is the responsibility of the lot owner.

Signatures:

Homeowner: _____ **Date:** _____

Builder: _____ **Date:** _____

SAMPLE BOARD STANDARD FOR WATERWAY PALMS PLANTATION



The sample board of similar construction shall be placed in front of the toilet enclosure. The base of the board should have the proposed foundation treatment and/or brick, stone or stucco proposed for the home

Recent revisions to the site signage standards requires the lot number to be placed with the job sign, not on the sample board as seen here.

All exterior materials including soffit and fascia should be represented.

As an alternate to a stand alone structure, the street side of the toilet enclosure may be covered with plywood and the samples placed fully across this board. Roof, soffit and fascia must be displayed as shown and materials must cover full sample board as they are to be installed. Foundation materials must be represented as well.