

STATE OF SOUTH CAROLINA)
)
COUNTY OF CHARLESTON)

COMPLIANCE AND DESIGN GUIDELINES FOR
THE NOISETTE TOWNS HOMEOWNERS ASSOCIATION, INC.

WHEREAS, the Declaration of Covenants, Restrictions and Easements for Noisette Towns was recorded in Book _____, Page _____, of the Charleston County ROD Office on _____, 2021 as amended and supplemented from time to time (the “Declaration”); and

WHEREAS, pursuant to the Declaration and the Bylaws of Noisette Towns Homeowners Association, Inc. (the “Association”), by and through its Board of Directors, the Association is authorized to promulgate rules and regulations governing the property subject to the Declaration; and

WHEREAS, the South Carolina Homeowners Association Act a/k/a Section 27-30-110 et seq. of the South Carolina Code of Laws (1976) enacted on May 17, 2018 (hereinafter “SCHA Act”) requires that a homeowners association record the compliance and design guidelines promulgated by the Board of Directors; and

WHEREAS, as required by the SCHA Act, the Board of Directors of the Association is desirous of recording the compliance and design guidelines attached hereto as **Exhibit “A”**, which are in effect as of the date hereof.

WHEREAS, the compliance and design guidelines are subject to modification and amendment by the Board of the Association in accordance with the terms of the Declaration and Bylaws; and

NOW, THEREFORE, KNOW ALL THESE PRESENTS, that the Board of Directors of Noisette Towns Homeowners Association, Inc. hereby records the compliance and design guidelines attached hereto as **Exhibit “A”** as required by the South Carolina Homeowners Association Act which are in effect as of the date hereof.

IN WITNESS WHEREOF, the parties set their hands and seals this _____ day of _____, 2021.

WITNESSES:

Noisette Towns Homeowners Association, Inc.

1st witness

By: _____

Print Name: _____

Print Title: _____

2nd witness

STATE OF _____)

COUNTY OF _____)
_____)

I, the undersigned Notary Public, do certify that Noisette Towns Homeowners Association, Inc. by _____, its President, personally appeared before me, and having satisfactorily proven to be the persons whose names are subscribed above, have acknowledged the due execution of the within Instrument.

Witness my official seal this _____ day of _____, 2021.

Notary Printed Name: _____ (SEAL)
Notary Public for: _____
My Commission Expires: _____

Exhibit A

NOISETTE TOWNS HOMEOWNERS ASSOCIATION, INC. COMPLIANCE GUIDELINES AND ARCHITECTURAL CONTROL COMMITTEE GUIDELINES

The Architectural Control Committee (ACC) reviews applications and additional information submitted for all new improvements and alterations to existing improvements at Noisette Towns. Homeowners can enhance their homes and yards, with respect to any applicable easements and setbacks, to enhance and usefulness and pleasure of their property. However, prior to most modifications, homeowners are required to obtain approval from the ACC. If necessary, a permit from The City of North Charleston or Charleston County may be required. It is the homeowner's responsibility to verify all building regulations regarding your project.

Plans for any exterior alteration must be submitted to the ACC for approval prior to commencement of construction or placement. Applications must be submitted with a plot plan showing the footprint of the home and property lines to scale, in relation to the proposed modification(s). Proposed modification(s) must be sketched on the plot plan. All prior improvements must be included on the plot plan (added sunroom, patio, other landscaping beds, swing set, gazebo, etc.). Samples indicating color selection, style, and product type must be included. It is acceptable for this information to be from websites or brochures. All application and pertinent information should be submitted to:

Noisette Towns Homeowners Association
c/o IMC Charleston LLC
1703 Ashley River Road
Charleston, SC 29407

Below is a partial list, this is not inclusive of all items. If in doubt, it is your responsibility to review the Governing Documents for Noisette Towns and submit an ACC application for any change, improvements, additions, or deletions to your property.

AWNINGS

Awnings are **not permitted**.

BOATS

Boats and trailer are **not permitted**. Boats and trailers may not be parked, kept, stored or maintained on any lot, on the streets, or in any common area. Except for minor repairs, cleaning, or waxing activities that are completed in less than (24) twenty-four hours, no repair work to any type of boat or trailer may be conducted on any lot or anywhere within Property.

CLOTHES LINES

Clothes lines are **not permitted**.

DISABLED VEHICLES & VEHICLE MAINTENANCE

No vehicle which is unlicensed or inoperable may be kept or stored on the Property. Except for minor repairs, cleaning, or waxing activities that are completed in less than (24) twenty-four hours, no repair work to any type of vehicle may be conducted on any lot or anywhere within Property.

DRAINAGE

Changes in grading, e.g. berms, mounds, etc., or channeling of any drainage water onto neighboring or common areas is **not permitted**.

DRIVEWAYS

Requires approval. Driveway extensions will be considered on a case-by-case basis dependent on the size of the yard and the size of the extension. Each Owner is responsible for the timely repair, maintenance and/or replacement of the driveway comprising part of the Unit and the driveways in the Common Areas between the lot line of each Unit and the roadways within Noisette Towns. Any top coating placed on a driveway must be approved by the ACC prior to installation.

EXTERIOR COLORS

Does not require approval if repainting or new vinyl does not change the home's original colors. Any change in the exterior material type, hue, tone, value or intensity color requires approval.

EXTERIOR DECORATIONS

A reasonable number of holiday and religious lights and decorations may be displayed on any Unit for up to 45 days prior to a publicly observed holiday or religious observance and up to 14 days thereafter without prior approval.

EXTERIOR LIGHTING

ACC approval not required if such alterations or additions should be for the purpose of improving footing, navigation or security. Lighting may not be so installed as to illuminate any portion of an adjoining lot or to shine into any window. The amount of light produced should not be so excessive as to create a distraction or have a negative impact on the neighborhood. Proposed replacements or additions must be compatible in style and scale with the applicant's house, and applications must include their location, number of lights, style, bulb color and wattage. Recommended fixtures include low voltage ground-mounted styles that may be wholly or partially concealed by plantings. It is recommended that before any digging is initiated, the applicant "call before you dig" for locations of existing utility lines. Colored bulbs designed to repel insects may be installed only in lighting fixtures located at the rear of houses. Proposed lighting shall not be approved if it will otherwise result in adverse visual impact to any other property, due to factors including but not limited to location, color or wattage. As the effects of proposed lighting may be difficult to assess prior to installation, the ACC reserves the right to require correction, including but not limited to removal or modification of lighting found to cause adverse impact after installation. **** The installation of lamp posts DOES require ACC approval in advance.**

EXTERIOR MAINTENANCE

Except for the Maintenance Areas as defined in the Declaration, each owner is responsible for keeping the Lot and its improvements in good repair. This includes but is not limited to painting, pressure washing (or other appropriate care), replacement of warped or rotted wood, caulking, window and door repair, and siding repair.

FENCES

All fences **require approval** from the ACC prior to the installation. Invisible fences also **require approval**.

FIREWORKS & FIREARMS

The display or discharge of firearms or fireworks in the community is prohibited. The term "firearms" includes "B-B" guns, pellet guns, paintball guns, cannons, and other firearms of all types, regardless of the size.

GUTTERS AND DOWNSPOUTS

Approval not required if the gutters and downspouts are white or match the color of the trim of the house. The downspouts cannot alter the flow of the water in an adverse way to the adjoining property.

HOT TUBS, SPAS, AND POOLS

Require approval. Must be in the rear of the yard and fenced in. Hot Tubs require screening at the patio sides with evergreen shrubs or wood fencing of lattice or solid panel to a height of 6'. Must be permitted and follow all city, county and state regulations. Approved on case by case basis. Above ground pools are not allowed.

HOUSE NUMBERS

ACC approval not required for replacement of the like kind. House numbers within the community are required for reasons of security and public safety. Written approval is not required for replacement with like kind. The ACC reserves the right to hold style and size to a community standard regulated in terms of aesthetic appearance.

IRRIGATION SYSTEMS

Requires approval.

LANDSCAPING

Major landscaping **requires approval** by the ACC prior to the installation. No approval required if the existing mulch and/or pine needles are replaced with similar materials which are black, brown, or cypress in color. All other colors and materials need approval. No approval required if existing seasonal plants are replaced with similar plants in size and height. All plantings must be a minimum of three feet from adjoining property line or the distance needed to prevent the plant(s) from impeding the property line. No plants or trees may be planted in a common area. Trees, shrubs, bushes, or other vegetation having a trunk diameter of 6" or more at a point of 4.5' above ground level, or other significant vegetation may not be cut, removed, or mutilated. Owners are responsible for following all Town of Summerville ordinances regarding trees.

LEASING/RENTALS

An Owner may lease their Unit. No leases for commercial purposes are allowed (for example, no Unit may be leased for office purposes). All leases must be in writing and contain provisions requiring all tenants to comply with all Governing Documents and Rules and Regulations for the Association. A copy of each lease must be provided to the Association by the Owner upon request of the Association.

PARKING

Parking on a lot in any location other than designated parking areas is strictly prohibited. No parking is permitted in the grass or on a sidewalk. Vehicles are not permitted to block the sidewalk and/or extend over the curb. No disabled or unlicensed vehicles are permitted.

PATIOS/PORCHES

Requires approval. Colors must coordinate with the existing materials and colors of the home and typically should be of neutral earth tones. Color and material selection samples (via brochure or website) must be provided.

ROOF, DOOR, AND WINDOW REPLACEMENT

Approval not required if original type, material, and color as the originally installed item. Any exception must have ACC approval.

SCREEN/ STORM DOORS

Approval not required if screen/storm door trim matches the trim of the house or color of the door. Only clear view storm doors are acceptable.

YARD ART AND DECORATIVE ORNAMENTS

All yard art and other decorative ornaments are subject to ACC approval. However, an excessive number of objects could be considered to be not harmonious to the appearance of the community.

ANY EXISTING OR PROPOSED IMPROVEMENT WITHIN AREAS DESIGNATED AS DRAINAGE AND OTHER EASEMENTS CARRIES WITH IT SOME RISKS TO THE OWNER. OWNERS WISHING AND APPROVED TO MAKE ANY MODIFICATIONS WITHIN DRAINAGE EASEMENTS DO SO WITH AN UNDERSTANDING, AGREEMENT, AND ACCEPTANCE OF THE FOLLOWING:

- ***MODIFICATIONS WITHIN ANY EASEMENTS ARE SUBJECT TO REMOVAL BY ANY AUTHORIZED ENTITY OR MUNICIPAL AUTHORITY REQUIRING ACCESS INTO THE EASEMENT AREA. SUCH REMOVAL MAY BE COMPLETED WITHOUT PRIOR NOTICE OF THE OWNER.***
- ***NEITHER THE DEVELOPER, BUILDER, ACC, POA, OR MANAGEMENT COMPANY ARE UNDER ANY OBLIGATION TO REPAIR, RESTORE, OR REPLACE ANY PART THEREOF REMOVED OR DAMAGED WITHIN THE EASEMENT.***
- ***HOMEOWNERS ARE REQUIRED TO OBTAIN ENCROACHMENT PERMITS FROM LOCAL MUNICIPALITIES FOR FENCES CONSTRUCTED WITHIN DRAINAGE EASEMENTS.***
- ***THIS DISCLAIMER AND THE ASSOCIATED ACC RULES WILL BE MODIFIED FROM TIME TO TIME.***

All owners and their guests shall abide by all rules and regulations of the Association, and all zoning ordinances, building codes, and regulations of all government bodies of competent jurisdiction. The Board of Directors shall have the power to impose reasonable fines upon an owner, his guests, invitees, or lessee.