

**Legend Oaks Plantation Community Association
Two, Inc.
Architectural Review Guidelines**

Revised
Sept. 2021

- *Revised Fence Guidelines – October 21, 2015
- *Solar Energy Guidelines – January 10, 2016
- *Revised Fence Guidelines- October 21, 2018
- *Revised Fence Landscaping, Solar, Standby Generators, Mulch -
December 2020
- * Revised Screen Door, Privacy fences, Noise Screens, Fishing – Sept 2021

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The following documents are available on the IMC web site (www.imccharleston.com) and are listed here for reference only.

- Design Review Application
- Design or Construction Change Application
- Landscape Plan Application
- Violation and Fine Schedule

I. Preface

It is important for all owners to carefully review these guidelines, particularly, section **II B Building Design Guidelines – Specific architectural guidelines** as they include important architectural standards for both new building construction and for other exterior improvements to property in Legend Oaks Two. **Important Note:** Owners who wish to submit an ARC application for modest home improvements such as a fence, deck, exterior painting, landscape planting beds, etc. should use the ARC Short Form. **No application fees are required for smaller project submittals.**

A. Purpose of Design Guidelines

The objective of the Design Guidelines is to create a comprehensive set of standards that will allow for the orderly and cohesive development of Legend Oaks Plantation Community Association Two, Inc. (Legend Oaks Two). These Guidelines are to be used by a property owner or builder as a tool to build a community that is consistent with the stated goals. The Guidelines will help ensure the community matures into one that provides for a higher quality of life as well as one in which property values are protected. The Guidelines establish criteria for architectural design, site improvements, and landscaping. They establish the process for review of proposed construction and modification of existing structures. The intent is to allow an owner maximum flexibility in expressing individual taste within the framework of community standards.

B. Master Plan Concept

Legend Oaks Two is a planned residential community of 199 Lots. The Master Plan incorporates traditional planning concepts to create a distinctive Lowcountry community. Live Oaks accent the Lowcountry concept that has been adopted by the community. Residential design style will be historical Lowcountry with covered porches and distinctive rooflines similar to those found in the South Carolina Coastal Plain.

C. Architectural Review Committee

The Architectural Review Committee (ARC) has been established in accordance with the recorded Covenants, Conditions and Restrictions for Legend Oaks Two to administer the Design Guidelines. The ARC will be comprised of 3 to 5 members appointed by the Board of Directors of Legend Oaks Two. Any property owner may request to serve on the ARC and non-resident design consultants may serve at the invitation of the committee. The ARC is charged to ensure compliance with the design and review processes described below and to ensure that all construction is completed according to the approved plans. To maintain this goal, any construction that takes place without the approval of the ARC will not be tolerated and may result in fines and legal remedies. The ARC reviews all applications and sends their recommendations to the Board of Directors. The Board has final approval on all submissions and may overrule decisions that are made by the ARC.

II. The Design Process – New Construction

To meet the development objectives of Legend Oaks Two, the owners and designers must follow a comprehensive design process. The ARC will review only designs completed by a registered architect or designer. New construction requires approval of the building plans, the site plan, and the landscape plan.

The property owner must thoughtfully consider the integration of each site and house design. The sum of the site and house (the parts) will help to shape the image and character of the Master Plan (the whole).

A. Site Visit, Analysis and Survey

Each property owner must visit the site and conduct a visual survey of the setting, the immediate surroundings and the broader environment. If a design professional is involved, he/she should also be a participant in this orientation process. It is imperative that all designers fully understand the particulars existing on each site and their context. **NOTE: Lots that are adjacent to or in the direct line of sight of the Golf Course are subject to approval by the owner of the Golf Course Facility. (Declaration of Protective Covenants - Article XII, Section 6) – There is a mandatory 10 ft. golf course easement for all lots that are adjacent to or in the direct line of sight of the Golf Course. No structures, construction or installations of any type shall be allowed to be placed in the Golf Course easement.**

A site analysis is required for each lot. This must include parts of surrounding areas and take into account the potential impact of the building site from key vantage points, including neighboring lots. Elements of the site analysis are to be incorporated into the site plan and should include the following:

- Identification and description of views and vistas
- Descriptions of special or unusual features on or adjacent to the site, e.g. trees, marshes, ponds, golf course, etc.
- Site drainage patterns existing on the lot and the impact of storm water runoff on adjoining lots and common areas. *NOTE: The Flood Insurance Rate Map (FIRM) for Legend Oaks was approved on December 29, 2011. The Base (1% annual chance) Flood Elevations (BFEs) have been established, resulting in a widening of the 1% annual chance floodplain. A PDF map of the Revised Floodplain map is available on the Legend Oaks – The Club’s web page.*
- Adherence to designated plat setback lines and Golf Course setback lines; setbacks are governed by the recorded subdivision plats, the Declaration of Protective Covenants for Legend Oaks Two and the Architectural Guidelines. *There is a mandatory 10 ft. golf course easement for all lots that are adjacent to or in the direct line of sight of the Golf Course. No structures, construction or installations of any type shall be allowed to be placed in the Golf Course easement.*
- *All setback variances require prior approval by the ARC, the Board of Directors and the Golf Club owner.*

To assist with the site analysis, it is recommended that a thorough survey of landform (topography) and vegetation be prepared. The survey should provide sufficient detail to allow careful attention to all environmental issues, especially regarding marshland areas, storm water ponds and flood zones. Refer to Appendix, Required Construction Documents for other required site analysis requirements.

B. Building Design Guidelines – Specific architectural guidelines

Creative and sensitive architectural solutions are encouraged to complement each site, to express the design concept of individual property owners, and to contribute to the community as a whole. The following are the specific architectural guidelines for new home construction, detached structures, driveways, paint colors, fences, landscaping and other items that impact the aesthetic appearances of Lots.

Owners and Builders should carefully review each item below before proceeding with their building designs. *NOTE: Please refer to Article VI – Use Restrictions and Rules in the Declaration of Protective Covenants for additional use restrictions which must be complied with by all Owners and Occupants.*

1. Building Size

Square footage requirements are predicated on enclosed heated floor areas exclusive of heated attached or detached garages, porches, unheated storage areas, decks or patios.

| | <u>Minimum Total Heated Area</u> | <u>Minimum Ground Floor Heated Area</u> |
|-------------|----------------------------------|-----------------------------------------|
| 1 Story | 2,000 | 2,000 |
| 1.5 Story | 2,000 | 1,200 |
| 2-2.5 Story | 2,000 | 1,200 |

No dwelling unit may be erected with more than two and one-half stories above the main entry level subject to local building code.

First floor (exclusive of garage under dwellings) interior ceiling heights must be constructed to a minimum of nine (9) feet and to a minimum of eight (8) feet on all subsequent floors.

2. Architectural Details

- 1) Each lot may contain only one single family dwelling and one private garage for not less than two vehicles and only such other accessory structures approved in writing by the Architectural Review Committee.
- 2) Detached structures are not permitted by right and must receive written permission from the Architectural Review Committee prior to erection or placement on any lot. All detached structures must be consistent in design materials and color with the dwelling on the Lot. **Accessory free-standing storage sheds shall not be allowed on any lot.**
- 3) Detached garages are permitted subject to Architectural Review Board approval. Due to golf course owner view requirements, detached garages shall not be approved for any lots adjacent to the golf course. Detached garages shall be limited to single stall garages

on non-golf course lots only if lot size permits.

- 4) Consistency of detailing on all elevations shall be maintained. Windows and doors shall reflect restraint in the variety of types, styles and sizes. All openings shall be accented with the use of shutters, flat or arched lintels, projecting sills or relief surrounds.
- 5) Bay windows shall be carried down to grade or visual support of any cantilevered conditions must be expressed.
- 6) Masonry or stucco used as a veneer material on the façade of a residence must extend the full length of the façade and terminate in a logical point on the sides of the house if used in combination with other exterior façade and trim materials.
- 7) The main roof on each residence shall have a slope of no less than eight (8) vertical and twelve (12) horizontal.
- 8) The main roof on each residence shall have a minimum horizontal projection of twelve (12) inches.
- 9) Gutters and downspouts are required on all homes. Colors shall blend appropriately with exterior trim and wall colors.
- 10) Roof structures such as plumbing boots, flashing, vents, etc. should be treated or painted to blend with the shingle color.
- 11) Permitted materials for foundations include brick, stone or stucco. Crawl space and raised in foundation slabs are permitted subject to elevation restrictions contained within the recorded plat. **Raised in foundation slabs must have a finished first floor a minimum of 24 “ above grade and front porch steps must have a minimum of 3 steps or 4 risers to finished grade and all porches and decks must have rails and pickets.**
- 12) Principal exterior porches whether attached to front or side yard elevations must have a nominal depth of eight (8) feet.
- 13) Houses with elevations having either no attached porch or a porch that covers less than fifty (50) percent of the front façade must have attached front loading garage opening(s) **recessed a minimum of eight (8) feet from the frontal plane of the house.** Houses with porches extending fifty (50) percent to eighty (80) percent of the front façade must have attached front loading garage opening(s) recessed a minimum of four (4) feet from the frontal plane of the house. Houses with porches extending for more than eighty (80) percent of the frontal façade may have attached front loading garage openings in the frontal plane of the house. In no case will front loading garage entrance openings be permitted to extend beyond the plane of the frontal façade.
- 14) Side loading motor court garages with appropriate screening will be permitted subject to Architectural Review Committee approval. Side loading garages should provide adequate back-out space. The recommended back-out space is a minimum of 26 feet. Additional parking pads may be recommended in order to accommodate off-street parking requirements. *(Article VI, Section 4 Vehicles –*

Declaration of Protective Covenants)

- 15) Double or single hung thermal windows either vinyl, vinyl clad or wood sash are required. Windows must have a minimum window pane pattern of 4 over 4.
- 16) Windows must have surrounds. Exterior finish treatments (i.e., brick, hardiplank, etc.) which interface directly into (nailing fins) unsurrounded window sashes will not be permitted.
- 17) Roofing materials must be either standing seam metal, five tab architectural shingle, 3 tab shadow line shingle, slate or cedar shake. Metal roofs may be considered for porch roofs only.
- 18) Brick, stucco, stone, fiber cement siding are approved for exterior finishes. Vinyl siding is specifically prohibited.
- 19) Vinyl shutters in louvered and cathedral styles are permitted.
- 20) Pertinent sidewalks per the approved final plat are to be constructed by each individual lot owner or Builder to standards cited by Dorchester County Public Works. Inspection for compliance regarding workmanship and materials will be required.
- 21) Exterior steps may be of approved masonry or wood. Wood steps must be finished with a riser board. Areas below step stringers must be appropriately screened in an approved manner.
- 22) The exterior of all improvements, including and without limitation, residences constructed, erected, allowed or maintained upon any lot must be painted and repainted in a color approved by the Architectural Review Committee. NOTE: The approved exterior paint color palette is **Sherwin-Williams – Colors of Historic Charleston (Duron Paints) (DCR001 – DCR122)****
- 23) The “Rule of Six” will be implemented with regard to house placement and exterior paint colors. The intent of the “Rule of Six” is to prohibit the same frontal elevation and the same color from being constructed side by side, face to face, or diagonally across any given street. Colors in the same color “family” will not be approved.
- 24) External HVAC Units must be screened. External HVAC Units in side yards may only be screened by approved brick or wooden screens or plant materials. Lattice screening shall not be approved. Screening walls or fencing of any type in side yards is prohibited. The preferred location for External HVAC Units is at the rear of the home. Window air conditioning units and fans shall not be permitted.
- 25) Garbage container storage is not permitted in side yards. Garbage containers stored in rear yards may not be visible from the street and must be appropriately screened from the adjacent and rear yard view.
- 26) Above ground swimming pools are prohibited.
- 27) Playsets: Plans must show dimensions and location on site plan.

Construction materials must be of wood frame or wood composite (stained accepted, no painted surfaces). Maximum deck height should be 5ft., with the maximum height of structure being no taller than 12 ft. Structures must be placed behind the back plane of the house and within the setbacks.

- 28) Clotheslines are strictly prohibited on any lot.
- 29) Woodpiles or similar items shall be located or screened so as to conceal being viewed from neighboring lots, streets and property adjacent to the lot.
- 30) No artificial or man-made device which is designed or used for collection of or heating by solar energy or other similar purposes shall be placed, allowed, or maintained upon any portion of the Community, including any Lot, without prior written consent of the Board or its designee.
- 31) No exterior antennas of any kind shall be placed, allowed or maintained upon any portion of the neighborhood, including any lot without the prior written consent of the Architectural Review Committee. However, the Association reserves the right to (but shall not be obligated to) erect a master antenna, satellite dish or other similar system for the benefit of the community. Antennas required for the operation of public utilities as required by Dorchester County Public Works are exempt from this prohibition.
- 32) Flags: No more than one (1) freestanding flagpole (maximum 20 feet high) or two (2) residence mounted flagpoles are permitted. Flags or banners that carry a political message, advertise a business or service, or are offensive or obscene are prohibited. The Board of Directors reserves the right to ask an owner to remove these prohibited flags/banners. The judgement as to whether a flag/banner is offensive or obscene is in the sole discretion of the Board
 - Decorative seasonal flags, school flags and sports themed flags are also permitted to be flown if they are tasteful, unobtrusive and are no larger than 3x5 feet in size
 - Small decorative garden ground mount banners are permitted provided they are in good condition, do not carry a political message or are not offensive or obscene

3. Fences – Guideline revised on 10/21/2018

Approval is required prior to installation. Once approved, changes may not be made without prior ARC approval; the ARC may require removal or changes as a result of non-approved modifications to the fence or placement of the fence.

Fence Material and Style:

- All fences must be black metal wrought iron style with a height of 4 feet.
- Fence style, gates and specialized scrolling must be approved by the ARC before installation.

- Existing white vinyl or wood fences (grandfathered when fence specification changed) may be painted black if desired. All new fencing must be black metal wrought iron style with a height of 4 feet. New Black vinyl fencing is not permitted.

Non-Golf Course Lots:

- All fences not adjacent to the golf course or a water feature must be of a metal black wrought iron style.
- In all cases, the maximum fence height can be no more than 4 feet.
- Fences on an interior lot may not approach the front of the house any further than the back plane of the outer most feature of the house; however, they may extend beyond the side plane of the house up to the property lines.
- Fences may not be installed in any access easement areas. The owner is responsible for any problems that may arise if the fence is over a drainage or utility easement.

Fence Placement for Golf Course Lots:

- Fences on properties adjacent to the golf course must be set back a minimum of 10 feet with a 5-foot landscape buffer on the outside of the fence on the golf course side (or distance as described by restrictive covenant) from the golf course property line. The fence may not extend toward the front of the Lot farther than the back plane of the outermost feature of the house. Fencing along golf course side to have maximum of one 4' gate. A golf course fence landscape buffer is required to be installed with fence. This landscape buffer planting must be completed within 30 days of fence installation. See Section 8: Landscaping.
- Fences shall not be placed in access easement areas. The owner is responsible for any problems that may arise if the fence is over a drainage or utility easement.
- Owner must provide an accurate drawing of the proposed fence placement on a plat map of the property.

4. Solar Energy Guidelines

- Solar panel installations must receive prior approval by the ARC and must meet all the following requirements.
- Photovoltaic panels only will be accepted (no water systems).
- Applications must include a copy of the contractor's permit and approval from Dominion Energy and Dorchester County.
- Solar panels must possess Solar Rating Certificate Corporation (SRCC) or International Electrotechnical Commission (IED) certification to assure quality standards.
- Solar panels must be installed flush to the roof with no more than a 3-inch rise in elevation above the roof, no motorized sun tracking systems.

- Solar panels must be flat with no ridges, curves or external piping.
- Separate approval must be obtained for any proposed tree removal.
- Installation must be performed by a contractor duly licensed by the State of South Carolina; a copy of the contractor's license and insurance must be supplied with the application.
- All federal, state and local standards and license requirements must be met.
- Engineering certification of roof capacity for dead weight and wind load is required along with panel mounting and fastening requirements.
- Applications must include a picture of the requested panels with a drawing to scale by the contractor showing the proposed location on the roof, along with proposed wiring and conduit runs.
- The solar panel array high point shall be lower than the top ridge of the roof.
- Solar panels requested by homes on the golf course must be approved by the golf course; a copy of the letter of agreement must be attached to the application.
- Preferred location for a solar array is a rear or side-facing roof. Final position on the roof must be agreed to by the ARC after consultation with the property owner.
- The color of the solar system components must conform to the color of the roof shingles to the extent possible.
- Solar shingles that mimic the look of a composite shingle should match the color of the existing roof shingles as much as possible.
- Piping and electrical connections must be located directly under and/or within the perimeter of the panels when possible and be placed as inconspicuously as possible when viewed from all angles. Conduct running next to house siding must be painted to match the siding color.
- The size of the solar array must be limited to that which provides usable energy generation for the home on which it is installed and is within the limits of the current net metering code.
- A variance to certain sections of these requirements may be granted if compliance would significantly increase the purchase price or decrease the efficiency of the installation. If a homeowner seeks a variance; a contractor proposal detailing the cost and efficiency comparison of the installation in full compliance and installation with the requested variance must be submitted.

5. Utilities

- All houses must utilize natural gas provided by Dominion Energy for heating and hot water heaters. No fixed, exterior propane tanks will be permitted.
- Gas meters shall be appropriately screened such that they may not be viewed from the street or adjacent lots.
- All exterior utility service connections should be placed in the least conspicuous location.
- Exposed electrical equipment, drains, etc. shall be painted to match the exterior house color or screened with landscape plantings.

6. Whole House Standby Electrical Generators

Standby Generators are permitted in the community with the following requirements:

- Installation must be preformed by a contractor licensed in South Carolina
- Dorchester County currently requires both gas and electrical permits
- ARC applications must include a plot plan clearly indicating the location of the generator and any proposed landscaping
- Landscaping may be required by the ARC to shield the generator from the street or neighbors
- Noise will also be considered by the ARC and an alternate site may be proposed

7. Mailboxes

All mailboxes and posts will be uniform, of consistent design and composition, and determined by the ARC. Mailboxes shall be black with white numbering. Mailboxes and posts may be obtained from **Atlas Signs** - <http://www.goatlas.com/the-club.html>.

8. Storm Doors:

Storm doors are permitted but must be approved by the ARC prior to install. General criteria are as follows.

- Color to match shutters or house trim (white or black)
- Must be full panel glass. No half panel doors
- Glass may not be beveled or etched
- No wooden screen doors
- Most storm doors include insect screens to replace the glass. Screens are permitted if well maintained and used only in the milder weather

9. Privacy Screens

Privacy screens may be installed but owner **MUST** have prior approval by the ARC. General criteria to consider:

- Maximum 6 feet tall, and 10 feet long. If longer lengths are needed than must have a minimum of 3 feet spacing between sections. Height measured from top of patio or decking
- Cannot be a solid wall and no lattice. Slates can be vertical or horizontal. Slate maximum width of 6" with a minimum 1.5" between slates
- Screen must be installed a maximum of 3 feet away from patio or

deck where privacy screen is needed. Privacy screens may not be installed at the property line

- Screen must be painted the house color or complimentary color.

10. NOISE SCREENS

Noise screens will be considered. Design details and install location must be reviewed and approved by the ARC before any work begins.

11. Fishing

If you fish in one of our neighborhood storm water ponds please remember:

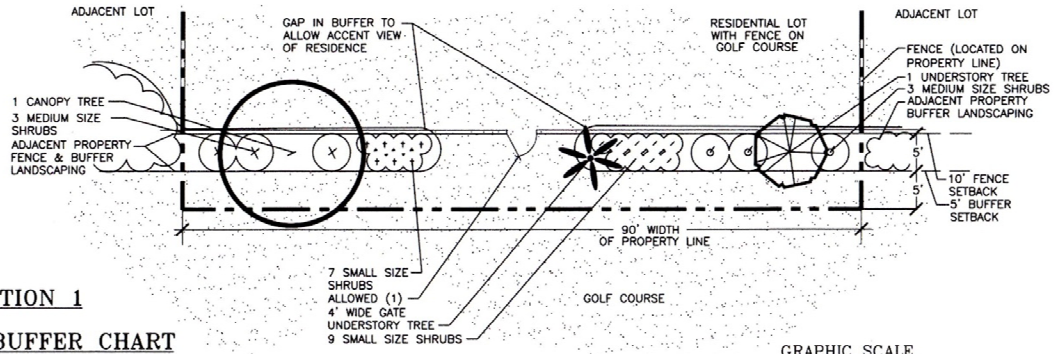
- A. Do not access the pond across private property unless you have the homeowner's permission. Respect private property and golf course property
- B. When fishing stand at least 15' from the edge of the pond to respect any gator that may be hiding
- C. DO NOT EAT YOUR CATCH. Catch and release. Our retention ponds are potentially polluted with chemical run off from our lawns, our roadways and chemicals used on the golf course
- D. Be mindful of gators at all times,

12. Landscaping

Imaginative landscape design that enhances architecture sets the standard for a high-quality community. Plantings should sufficiently screen utility areas, break up the foundation of the building, buffer driveways and parking areas adjacent to property lines, and provide cover for areas disturbed during construction. Plants for screening should be appropriate and of sufficient size and spacing to ensure an adequate buffer within a year or two. Foundation planting should be able to screen any foundation under house or decks. The residential homeowner shall be responsible for maintenance of lawns and planting beds in a properly groomed and weed free condition. Dead plants may be replaced by the homeowner without ARC approval. Golf course fence landscape buffer is intended to create a softening of long runs of visible fencing, create an over landscape feel to the edges of the golf course, and accent the residential architecture of the community.

- 1) Installation of sod and irrigation in the front and side yards is required.
- 2) An approved landscape plan is required for each lot. Plant materials should be indigenous to the area. It is recommended that a minimum of one hardwood tree be planted for every 25 feet of lot frontage and golf course frontage. Landscaping will be designed per lot and design will vary from lot to lot taking into account existing features.
 - i. Landscaping for Non-Golf Course Lots: 2 x 2" caliper trees, 24 x 3-gallon plants, full sod. Pine straw beds around plants and trees.

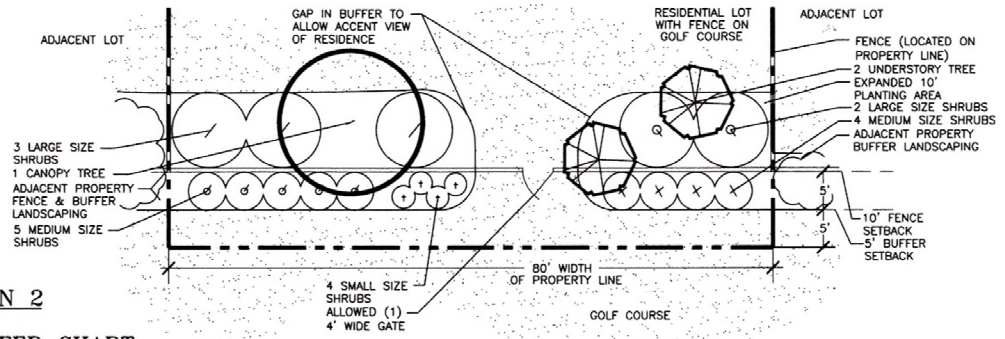
- ii.* Landscaping – Golf Course Lots – in addition to above, add 2 x 2" caliper trees when no trees in backyard. Add 6 x 3-gallon plants.
- iii.* Golf Course Lots with Fence- Landscape Buffer Requirements:
 - Required landscaping must be completed within 30 days from fence installation
 - Minimum planting requirements per 100' of rear property line (For lots with lesser width, multiply percentage and round up any fraction). See suggested plant selection section.
 - A. 1 canopy tree (8' height minimum at installation).
 - B. 2 understory trees (5' height minimum at installation).
 - C. 22 3-gallon minimum shrubs (24" height at installation).
 - Option 1: All required buffer planting to be installed in 5' strip between rear property line and proposed fencing. Massing of plants to occur at property corners and gaps in planting may occur for gate and to accent view of residence due to the narrow 5' width. Homeowner to select plants that can reach full size with minimal pruning of growth from ground to 10' high. Maintenance of this buffer is the responsibility of the homeowner. See below for option 1 example.
 - Option 2: All required buffer planting to be installed in 15' strip between rear property and fence and back yard. The intent of this option is to allow homeowner to plant canopy, understory, and larger maturing plants behind fence to visually layer plantings. See below for option 2 example.



PLANTING EXAMPLE OPTION 1

GOLF COURSE FENCE BUFFER CHART

| REQUIRED VEGETATION PER 100' | TOTAL BUFFER LENGTH | REQUIRED VEGETATION FOR LENGTH OF BUFFER |
|---------------------------------------------------------|---------------------|---------------------------------------------------------|
| (1) CANOPY TREES (2) UNDERSTORY TREES (22) SHRUBS | 90' | (1) CANOPY TREES (2) UNDERSTORY TREES (20) SHRUBS |



PLANTING EXAMPLE OPTION 2

GOLF COURSE FENCE BUFFER CHART

| REQUIRED VEGETATION PER 100' | TOTAL BUFFER LENGTH | REQUIRED VEGETATION FOR LENGTH OF BUFFER |
|---------------------------------------------------------|---------------------|---------------------------------------------------------|
| (1) CANOPY TREES (2) UNDERSTORY TREES (22) SHRUBS | 80' | (1) CANOPY TREES (2) UNDERSTORY TREES (18) SHRUBS |

- 3) Plant list suggestions for golf course lots with buffers: Note the following plant selections are in general native and regional plants that survive and thrive in these conditions. Homeowner is advised to seek professional assistance in reviewing their existing conditions and selecting specific plant species. Homeowners proposing to plant species not on this suggested plant list are required to submit buffer plan at 1" = 10'- 0" scale with proposed plant species and locations for approval.

Canopy Trees

Acer rubrum- Red Maple

Liquidambar styraciflua- Sweet Gum

Liriodendron tulipifera- Tulip Poplar

Nyssa sylvatica- Black Tupelo

Quercus falcate- Southern Red Oak

Taxodium disticum- Bald Cypress
Ilex opaca- American Holly
Magnolia grandiflora- Southern Magnolia
Juniperous virginiana- Eastern Red Cedar
Prunus caroliniana- Carolina Cherry Laurel
Quercus virginiana- Live Oak

Understory Trees

Amelancier arborea- Serviceberry
Carpinus caroliniana- Musclewood
Cercis Canadensis- Redbud
Chamaerops humilus- European Fan Palm
Chionanthus virginicus- Fringe Tree
Cornus florida- Dogwood
Diospyros virginiana- Persimmon
Gordonia lasianthus- Loblolly Bay
Halesia Carolina- Carolina Silverbell
Hamamelis virginiana- Witch Hazel
Ilex vomitoria- Yaupon Holly
Lagerstroemia indica- Crepe Myrtle
Magnolia virginiana- Sweetbay Magnolia
Myrica cerifera- Wax Myrtle
Osmanthus Americana- American Tea Olive
Sabal palmetto- Cabbage Palm
Trachycarpus Fortunei- Windmill Palm

Shrubs

Aesculus pavia- Red Buckeye
Azalea indica- Indica Azealeas
Budleia davidii- Butterfly Bush
Callicarpa americana- Beautyberry
Camellia japonica- Japanese Camellia
Camellia sasanqua- Sassanqua
Calycanthus floridus- Sweetshrub
Cephalanthus occidentalis- Buttonbush

Cycas revoluta- Sago Palm
Gardenianis jasminoids- Gardinea
Hybiscus moscheutos- Rose Mallow
Hydrangea quercifolia- Oakleaf Hydrangea
Ilex cassine- Dahoon Holly
Ilex glabre- Inkberry
Ilex verticillato- Winterberry
Ilex vomitoria- Yaupon Holly
Illicium floridanum- Florida Anise
Itea virginica- Sweetspire
Leucothoe populifolia- Florida Leucothe
Myrica cericifera- Wax Myrtle
Nerium oleander- Oleander
Osmanthus x fortunei- Fragrant Tea Olive
Raphiolepis India- Indian Hawthorne
Rhododendron- Rhododendron hybrid
Sabal minor- Dwarf Palmetto
Serenoa repens- Saw Palmetto
Vaccinium arboretum- Sparkleberry
Viburnum dentatum- Southern Arrow-wood
Viburnum suspensum- Sandwanka Viburnum
Miscanthus and Sweetgrass species grasses

- 4) All landscape beds to be mulched with pine straw, wood bark chips, or black, red or brown shredded wood mulch. Black, brown or red rubber mulch is also acceptable. Rock, stone or other non-organic material is not allowed. All beds to be kept clean, free of weeds, turf, and with no visible dirt or weed fabric.
- 5) Foundation planting of golf course adjacent lots is required.
- 6) The rear ten (10) feet of each golf course adjacent lot may not be disturbed with respect to clearing, planting or placement of any feature without the specific permission of the Architectural Review Committee, and the golf course owner.
- 7) Screen plantings, trees and hedges may be reviewed as fencing and subject to the restrictions applied to fences as contained herein requiring specific written approval of the Architectural Review Committee.
- 8) No tree left on a lot as of the date of conveyance of such lot to a person other than shall be removed without the express consent of

the Architectural Review Committee. In addition, the Committee may direct an Owner to remove any tree which dies or becomes a hazard (example: tree(s) hit by lightning).

- 9) Exterior lighting must receive written Architectural Review Committee approval.
- 10) Landscaping borders, curbing, edging or walls shall not be installed without approval of the Architectural Review Committee

III. Construction Reviews

All plans for residential construction (to include new construction on lots, renovations to existing homes, additions to existing homes, or alterations to existing homes) shall be reviewed by the ARC and/or its designated architectural review professional before commencement of any of the aforementioned activities.

A. Review Documentation

1. The Review documentation shall include the following:
 - Property Owner Information
 - Architect Information
 - Builder Information
 - Square Footage
 - Drawings
 - Building Elevations
 - Site Plan
 - Material List
 - General Information/Setback Requirements
 - Construction Deposit Fee and HOA assessments paid in full
 - Architectural Review Fee paid in full
 - Property Owner/Builder Construction Agreement
2. The Landscape Design Review documentation shall consist of the following:
 - Property Owner Information
 - Landscaper Information
 - Drawings

B. Review Process

To begin a review process, please select the appropriate form found in the Appendix of this document and follow the instructions on the form. All of the items on the form checklist must be submitted in order for the review application to be accepted. If the submission is not complete, the review application will be returned with a notation of the application deficiencies and a request for the form to be resubmitted. In the Review Process, the ARC will be looking for compliance with Architectural Review

Guidelines. The ARC will also be looking for incorporation of all ARC recommendations made during any preliminary reviews. Final Plan Reviews will only be granted to legal property owners and a deed from the Dorchester County RMC should be submitted as proof of ownership.

After the completion of a review process, the ARC shall meet to prepare a response to the property owner indicating if the proposed plans are satisfactory and meet the community guidelines. The property owner will be notified in writing within 30 days of the date of the plan submittal date.

If the ARC does not grant approval of the plans, the property owner may interact directly with the ARC or its representative to resolve any issues, discuss options and ideas, etc. If the ARC recommends design changes, the re-drawn pages may be submitted by fax, mail, or email to the ARC chairperson or the ARC designee. With final approval of the review plans, the ARC shall request that two full size plan sets be made available to the committee. Both full size plans shall be initialed by the ARC Chair or the designated agent for the ARC. The owner is requested to copy this plan set (including any approved changes) for the builder to use in the construction process. The other full-size plan shall be retained on file with the ARC or the management company.

C. Required Fees

1. A nonrefundable, architectural review fee of **\$700.00** per set of plans submitted (which includes the different elevations), made payable to Legend Oaks Two by the property owner, is required with the Review Application. This review fee shall be used for architectural review expenses incurred by the Homeowners Association during the review process.
2. A "site/landscaping review fee" charged by Legend Oaks for any owner(s) to submit plans for use on a particular site for "Site Approval" is **\$450.00** per lot.
3. An administrative architectural review fee of **\$150.00** payable to IMC Charleston This fee is for administrative support during the application and review process.
4. A mandatory construction fee deposit of **\$2500.00** (made out to Legend Oaks Two by the property owner) is also required at this time with the Review application. This deposit shall be used to cover unforeseen construction expenses incurred by the Homeowners Association during the construction period. The construction fee deposit must be always maintained at the \$2500.00 level during the construction period
5. The construction fee will be returned to the contractor if requested in writing 90 days after the closing of the property. If not requested in the 90-day window the funds will be forfeited and deposited in a HOA reserve account.

D. Changes During Construction

If changes to an approved plan become necessary during construction, the property owner must notify immediately the ARC or its architectural review designee who will determine if the change is minor or major. To make this determination, the ARC Chairperson will need to receive a drawing of the proposed change and the Design or Construction Change Application form. To expedite the process the drawing and form can faxed or emailed. Please refer to the Design or Construction Change Application form in Appendix for instructions and a list of items to be submitted with this request.

1. Minor Change

The ARC Architect or Chairperson can grant approval for a minor change. The ARC will return to the homeowner an initialed copy of the approved changes and one copy will be retained by the ARC or the management company.

2. Major Change

A major change requires full review from the ARC. The owner should submit the Application Form and drawings 10 days prior to the next ARC meeting. If the change is approved, the homeowner will receive the application back with an initialed approval. The ARC will retain a copy of the application and drawing. If the change is not approved, the ARC will make recommendations regarding the change. Please note that unauthorized changes may result in a fine or other legal actions.

E. Final Inspection

To confirm plan compliance, an ARC representative will conduct a final inspection following completion of all planned construction and landscaping.

F. Enforcement

The design and review guidelines contained herein have been developed to encourage good design, to preserve community resources and to enhance property values. To maintain these goals, any construction that takes place without ARC approval will have consequences. If further enforcement is necessary, other legal remedies may be pursued.

G. Random Inspections

The Homeowners Association reserves the right to conduct random inspections of the construction site during the review process to ensure that the requirements of this document are being adhered to and maintained by the property owner and the construction contractor.

IV. The Construction Phase

In order to maintain attractive surroundings and to promote a safe environment for residents and guests, the following guidelines have been developed for Legend Oaks Two to control contractor activities during the construction phase.

A. General Regulations

Listed below are the general regulations that property owners and builders shall follow during the construction process.

1. Time Limit of the Construction Phase

All construction on a particular property must be completed within an eighteen-month period, commencing with the initial clearing of the lot.

2. Builder Requirements

All home builders at Legend Oaks Two must be licensed by the State of South Carolina, have all required business licenses and maintain liability

insurance coverage as shall be required by the ARC of all residential homes builders, from time to time. A South Carolina Residential Builders License is the minimum licensing requirement. Proof of liability insurance of \$1,000,000 aggregate and any surety bond required by the SC Residential Builders Commission is required of the general contractor prior to the approval of any construction application. Proof of insurance and bond must be filed with the ARC before site work or construction of any kind occurs.

3. State and Local Code Compliance

All construction must comply with Federal, State, and local laws, codes and ordinances.

4. Construction Entrance

A gravel construction entrance of 57 stone should be provided and maintained in each lot during the construction period.

5. Signage

The general contractor may post the standard identification sign and permit sign on lots during the construction phase. The size shall not exceed 4 X 3'. Any other signage must be approved by the ARC. All signage must be removed within 30 days of receipt of the County Certificate of Occupancy.

6. Working Hours

Working hours for all construction activities shall be restricted to the following:

Monday through Friday: 7:00 AM to 7:00 PM

Saturday: 9:00 AM to 12:00 Noon

Sunday: No work allowed

7. Conduct of Workers

The conduct of workers is the ultimate responsibility of the general contractor. Loud vehicles, radios, etc., or any other machine that is not directly related to construction activities and can disturb residents, will not be tolerated. All workers, including subcontractors and vendors, must observe the posted speed limits. See the complete Construction Commitment and Contractor Guidelines document.

B. Before Construction

Listed below are the general requirements that property owners and builders shall follow or be subject to before construction.

1. Site Evaluation

Undercutting for the purpose of choosing the site for the home and yearly maintenance is allowed. However, the removal or installation of trees for any purpose is regulated by the Legend Oaks Two Covenants.

2. Preliminary Stakeout and Site Inspection

Site preparation or other construction activities may begin only after the review process is complete. A site inspection of the house corner stakeout by the ARC representative is required before construction begins. The

purpose of this inspection is to ensure compliance with the approved plans, as well as to evaluate impact on adjacent lots, common areas, tree preservation, wetlands, drainage, etc. The owner shall clearly stake the property corners and proposed house corners. Any existing trees to be removed shall be marked individually or in-groups. Inspections will be conducted at any point of the construction process.

3. Permits, Fees and Fines

Contractors are responsible for obtaining required building permits and paying associated fees prior to commencing construction. Violation of the ARC standards shall result in the builder fine guidelines found in the Appendix. Fines will be levied on the property owner:

Violation/Fine Schedule

| <u>Violation</u> | <u>Fine</u> |
|-------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Work Hours Violation - | \$250.00 1 st incident; \$500.00 2 nd incident; \$1000.00 3 rd incident. <i>Please note the posted work hours and notify all subcontractors.</i> |
| Noise Violation - | \$250.00 per incident |
| Littered Site -- | \$50.00/day |
| Cleaning paintbrushes or dumping of any refuse materials -- | \$50.00/per occurrence |
| Construction Equipment or material on adjacent property -- | \$100.00/day |
| No temporary sanitary facility -- | \$50.00/day |
| No dumpster -- | \$50.00/day |
| Non-conforming signs -- | \$100.00/day |
| Damage to natural areas -- | \$200.00/occurrence |
| Burning without a permit -- | \$200.00/occurrence |
| Unauthorized plan change (minor) -- | \$200.00/occurrence |
| Unauthorized plan change (major) -- | \$2,500.00/occurrence |
| Unauthorized finishes (e.g. paint, stain, roofing) -- | \$3,000 plus hold on future permits. |

Note: Unauthorized plan changes that are not corrected within thirty days of homeowner notification by the ARC will result in a fine of \$100/day until such corrections are complete and approved.

4. Temporary Facilities

Each building site is required to provide at least one toilet for the use of workers.

Temporary power poles must be installed plumb and shall not be used for posting signage.

Silt fences and other erosion control devices should be installed before initial grading. Trees in the common right-of-way shall be roped or fenced off or otherwise marked to ensure that no construction activity, including the parking of construction vehicles or trucks, will damage the trees. Protective

barrier shall be a minimum of the drip line. Pipes shall be installed in road swales to maintain flow at the construction entrance to the lot.

Construction office and storage trailers or buildings must be approved by the ARC.

C. During Construction

Listed below are general requirements that the property owner and builder shall follow or be subject to during construction.

1. Site Maintenance

The general contractor must ensure that the job site is maintained in a neat and clean condition at all times. All materials and construction equipment must be stored within the lot boundaries. Adjacent lots or common space may not be used for parking without prior permission from the Lot owners. Vehicles parked on the right of way during construction activities shall not obstruct traffic flow. Washing of vehicles, including concrete trucks shall occur on site, not in the street. Excess concrete must not be dumped on adjacent lots, any common areas, or any rights-of-way. No burning of construction debris is permitted without exception.

2. Sedimentation and Erosion Control

Streets shall be kept clear of mud, silt, and construction debris from construction traffic. Any debris, including dirt tracked onto the roads of the HOA, should be removed daily. Sedimentation and erosion control devices shall be continuously maintained throughout the construction.

3. Job Site Courtesy

No animals or children are allowed on the job site. Warming fires are not permitted without exception. Workers shall not use loud or offensive language. Parking of worker vehicles must be on the job site, on the street in the direction of traffic, and not in a way that blocks EMS vehicle ingress or egress.

4. Prohibited Activity

Workers shall not bring firearms, alcohol, drugs, or contraband of any sort onto the Club at Legend Oaks.

5. Traffic Rules

The speed limit in the Club at Legend Oaks is 20 MPH. Workers are expected to observe all traffic regulations without exception. Speed limits shall be strictly enforced if disregarded by job-site workers and contractors supporting the site.

6. Damage or Loss on the Job Site or in the Community

The Legend Oaks Two Homeowners Association shall in no way be responsible for any damage or loss suffered by the property owner or contractor on the job site.

The general contractor shall be held responsible for damages to association roadways or other property adjacent to the job site. Precautions should be taken to avoid damaging shoulders, curb and guttering, gates and landscaped rights-of-way when moving vehicles off roadway onto the job

site. The costs of repairing damages shall be deducted from the contractor's deposit. Proper notification and review shall be made before digging to locate all underground utility lines.

D. After Construction

Listed below are the general requirements that the property owner and the builder shall follow or be subject to after construction is completed

1. Clean-up

Upon substantial completion of construction activities, all debris shall be removed immediately from the site and surrounding areas and properly disposed. Any dumpsters must be removed from the site within 30 days of receipt of the Dorchester County Certificate of Completion.

2. Temporary Facilities

All temporary facilities shall be removed after substantial construction completion. The builder identification signs shall be removed within 30 days of Dorchester County Certificate of Occupancy issuance.