

STATE OF SOUTH CAROLINA)
)
COUNTY OF CHARLESTON)

FUNCTION OF THE ARCHITECTURAL REVIEW COMMITTEE

The Architectural Review Committee (“ARC”) exists to review all building, remodeling, and/or alteration activity on improved and unimproved lots and property subject to the Declaration of Covenants, Conditions and Restrictions of The Park at Rivers Edge (“the Park”). The purpose of the ARC is to enhance the community. Review and approval by the ARC is the first step in necessary approvals for the construction or remodeling of a building or landscape alterations that involve removal or planting of trees. The review by the ARC considers how well proposed building and landscaping projects relate to the existing neighborhood character and the standards of living established within the community. Providing an applicant meets all standards set forth in this document, the ARC can grant approval without the approval of the Board of Directors of The Park. If an applicant is denied approval, the applicant can appeal to the Board of Directors of The Park.

THE REVIEW PROCESS FOR CONTRACTORS

The review process provides a systematic and uniform review of proposed building construction or remodeling of buildings. It is not the intention of the ARC to stifle creativity in the design process. The ARC, however, may disapprove any proposed construction on purely aesthetic grounds where, in its judgment, such action is required to protect the beauty of the area and the integrity of the existing neighborhood.

All contractors and homeowners acting as general contractors in the Park must submit a complete and thorough set of documents for review. The submission shall include:

1. **Application form** (see Attachment “A”)
2. **Application fee**

New residence	\$150.00
New Multi-family housing Per unit	\$300.00
3. **Construction Deposit** - \$1,000.00 per building which shall be refunded provided all guidelines have been met, plus \$500.00 per building non-refundable road usage fee.
4. **Dimensioned Site Plan** – The site plan shall be drawn at an appropriate scale and shall show the roof plan of the building and contain numerous dimensions demonstrating conformity with all required easements and setbacks. Major landscape and hardscape elements shall also be dimensioned.

5. **Floor Plans**- Floor plans at an appropriate scale shall be presented depicting the layout of spaces for all levels of the proposed building. All single family houses must have a minimum square footage of 1350 square feet.
6. **Elevations** – Drawings shall be presented at an appropriate scale representing the view of all exterior sides of the proposed structure(s). Wood, stucco, and/or masonry elements of all exterior walls shall be accurately and fully depicted.
7. **Landscape Plan** –A landscaping plan must be submitted.
8. **Electrical and Mechanical Plans**- Plans submitted at an appropriate scale showing necessary information, meter location and enclosed HVAC area.
9. **Details**
 - Typical wall section
 - Exterior trim and railings
 - Window and door details
 - Exterior walls, fences and screens
10. **Specifications** – A full set of specifications must be submitted defining the quality of all work and materials.

If the ARC or Board fails to grant approval, the Committee will designate items to be corrected and resubmitted.

BEFORE CONSTRUCTION

Before any lot clearing, material delivery or construction may begin; the contractor or construction company must have received a set of approved drawings from the ARC.

DURING CONSTRUCTION

All construction will be under constant observation by the ARC, and inspections will be conducted by the ARC. Construction must be completed within 180 days from the date of the building permit, unless a written request for an extension is submitted and approved. Submission does not guarantee an extension.

Each construction site is required to have a job toilet for the use of workers. It must be placed on the job site, in an inconspicuous location, with the door facing away from the street and neighboring buildings. Fires are not permitted on construction sites. Care should be taken when loading trucks hauling trash so as not to have spillover while in transit, in which case the contractor will be held responsible. It is imperative that all sites be maintained in a clean and tidy manner. All construction materials must be kept within the property lines maintaining a clear street right-of-way. Access over or through adjoining properties is expressly forbidden.

Temporary storage structures, if approved by the ARC, may be used to store materials. Storage structures may not be used as living quarters.

Site cleanliness, at all times, shall be maintained in an acceptable manner. If not so maintained, the ARC will issue a "Stop Work Order". A commercial dumpster may be placed on each job and shall be dumped when necessary. Refuse containers must not be on the roadway or on the right-of-way and must be on the property for which use is intended. No trash shall be strewn about the lot or piled openly. As untidy sites present a negative image to visitors and property owners, this requirement will be strictly enforced. Should the ARC determine, in its sole discretion, that a site is not being properly maintained, after an initial warning, the ARC may undertake to have the ARC maintain the site properly and will deduct the cost of maintenance from the Construction Deposit. Temporary utilities should be installed in a neat manner.

The conduct of all workers and subcontractors is the responsibility of the General Contractor. The General Contractor is responsible for and can be fined for the acts or omissions of any worker or subcontractor. Loud cars and speeding are not permitted. All construction vehicles must be parked in front of or on the construction site or in a designated area. Vehicles and equipment must not be parked in areas that block existing driveways or in areas that block the safe flow of traffic (See Schedule of Fines). Workers are required to wear shoes and shirts when on the job site. Loud music from radios that disturb property owners or guests will not be permitted at any time. Work may not be performed before 7:00 a.m or after 7:00 p.m. on weekdays, before 8:00 a.m. or after 4:00 p.m. on Saturdays, or on Sundays without written prior approval of the ARC.

AFTER CONSTRUCTION

When the construction of a residence has been completed, the contractor must satisfy several requirements before applying for final inspection. The construction of the building shall be completed, and the landscaping shall be installed conforming to the approved plans. Any unauthorized changes must be corrected before Final Inspection Certificates will be given. Upon completion of construction and landscaping, all building debris shall be removed from the site and surrounding area. The temporary power pole shall also be removed. At this time, the Contractor shall notify the ARC in writing that he or she is ready for final inspection and provide a copy of certificate of occupancy, if applicable.

GENERAL REGULATIONS

The regulations within these guidelines are in addition to those set forth in the Declaration of Covenants, Conditions and Restrictions. Criteria from both documents must be adhered to.

These regulations govern existing homes and unimproved lots.

All contractors must be licensed by the State of South Carolina and must carry worker's compensation and liability insurance.

The above regulations are designed to enhance The Park's overall appearance to our residents and visitors. These regulations are to be used as guidelines and are not intended to restrict, penalize or impede construction firms or homeowners who adhere to these regulations while performing their duties at The Park or working on their homes. Repeated violation of these regulations could result in the suspension of the building permit for that resident until corrective action has been taken by the contractor or result in fines to homeowners. Additionally, a contractor who repeatedly violates either the letter or spirit of these guidelines may be required to post a larger construction deposit or be prohibited from working at The Park.

EXISTING BUILDING GUIDELINES

The primary purpose of these guidelines is to foster the creation of a community which is aesthetically pleasing and functionally convenient for all residents and visitors. These restrictions govern proposed homes, homes under construction and existing homes and require every home at The Park to be maintained in a manner conforming to these guidelines.

Improvements – No alteration, including painting or staining, affecting the exterior appearance of any building, structure or landscape shall be made without prior approval by the ARC. A request for approval must be submitted to the ARC, including the review fee if required, and all drawings necessary to define the proposed improvements. The timetable for submitting a request is detailed in the Schedule section. The ARC will respond within thirty (30) days of receipt of the request, or the request is automatically approved. Any violations will be assessed a penalty based on the Schedule of Fines for Contractors.

Landscaping – Every property owner is responsible for preventing the development of any unclean, unsightly, or unkempt conditions of buildings or yards which shall reduce the beauty of the neighborhood as a whole or in a specified area. Informal landscaped areas, bed and lawn areas must be maintained. In natural wooded areas, weed growth must be controlled. Any proposed changes in landscaping such as fences, fountains, lighting, game structures, drives, walks, landscape structures and statues must be approved by the ARC.

Exterior Lighting- All exterior lighting shall be installed so as not to disturb neighbors or impair vision or traffic on nearby streets.

ARCHITECTURAL REVIEW COMMITTEE SITE INSPECTIONS FOR CONTRACTORS

1. **Regular Site Inspections** – Ongoing site inspections of all single family home construction sites may be made by the ARC. Compliance with the furnished Construction Guidelines will be inspected.
2. **Special Site Inspections** – A special site inspection of a specific site may be made upon receipt of a written request for such an inspection which sites a specific violation.
3. **Violations**- Violations that are discovered at a site should be documented.

4. **Notice** – A notice will be sent to the contractor for the first violation of the Construction guidelines, requesting correction of the violation.
5. **Fines** – Once one notice has been sent to the contractor, all future violations of the Construction Guidelines and all unauthorized exterior changes to the approved building plan will be written up, and a fine levied against the deposit posted. A copy of the notice will be sent to the contractor and owner.
6. **Each Violation** – Each violation that is not corrected as requested may be written up and an additional fine posted.
7. **Appeals**- Appeals of the fines must be made in writing to the Board of Directors of The Park.
8. **Legal Action** – The Board of Directors may elect to pursue legal action if it believes that legal action is appropriate.

SCHEDULE OF FINES FOR CONTRACTORS

• Littered site	\$40.00/occurrence
• Parking on grassed right-of-way	\$25.00/occurrence
• Other Parking Violation	\$25.00/occurrence
• No Temporary Sanitary Facilities (new construction)	\$50.00/occurrence
• Contractor(Sub) – Misconduct	\$50.00/occurrence
• Late Completion	\$25.00/day
• Material in right-of-way	\$100.00/occurrence
• Damage to right-of-way	\$100.00/occurrence *
• Parking on adjacent property without Owner’s permission	\$100.00/occurrence
• Materials on adjacent property without Owner’s permission	\$100.00/occurrence
• Damage to Common Areas	\$100.00/occurrence *
• Unauthorized plan change	\$200.00/occurrence

- Building without ARC or Board approval \$500.00
- Unauthorized finished (paint, roof, etc.) \$100.00/item

*** Fine shall be for cost to repair damaged areas or minimum of \$100.00.**

ARC will assess fines per day after the first notification and may pursue legal action, including without limitation, an action for collection of fines or injunction to correct the violation. ARC shall be entitled to its attorneys' fees if legal action is commenced for violation of these Guidelines..

The amounts of fines given above are subject to periodic increases at the sole discretion of the Board of Directors of The Park/ARC. Fines must be paid within thirty (30) days of notification. Fines may be levied from the Construction Deposit.

REVIEW PROCESS FOR HOMEOWNERS

All constructed homes within the Park where the homeowner seeks to improve his/her building or plant or remove trees are covered by this process. This includes without limitation building remodeling, façade changes, building renovations, exterior painting that involves color changes, tree removal, tree installation, fences, outside game structures, decks, porches, satellite dishes, mail boxes, swimming pools, shingle changes of type or color, driveway changes utilizing different material and all other home improvements not otherwise excluded from these guidelines. The ARC shall review all project requests to assure they meet all guidelines. Any projects not approved by the ARC can be appealed to the Board of Directors of The Park as follows:

1. Fill out and submit a Project Request Form to the ARC. Contact the management company for forms.
2. Submit a drawing, plan or any other documents that will adequately explain the project and include as much information as possible.
3. The ARC will review and return the request within 30 days after receipt. If the request is not returned or additional information is not requested within 30 days, approval is automatic, and work may begin.

There is not a fee for small projects that do not require a building permit.

Any homeowner who accomplishes any "self" improvements or additions and retains the services of a contractor for assistance, not as a subcontractor, should insure that the contractor has liability insurance, worker's compensation insurance, and a business license. The contractor may be required to post a refundable \$500.00 bond. Fines for contractors are listed on pages 6 and 9. All fines will apply to the contractor and homeowner. The contractor will provide its business license.

OUTSIDE GAME STRUCTURES

Basketball Goals- Portable goal assemblies are permitted as long as they do not block traffic or create a nuisance to the neighbors. Also, they must be maintained properly to include backboard, rim, net, frame and base. The assemblies must be of a color scheme that does not detract from the surroundings. Permanently mounted goals must be secured in the ground with cement. The base pole must have two 2-inch wide strips of white reflective tape installed: one at four feet and one at five feet from the ground. The rim, net and backboard must be kept in an operable condition and not detract from surroundings. Goals must be perpendicular to the street or driveway. Goals will not be attached to homes or garages with ARC approval. **Any basketball goal structures that create or cause a nuisance to other homeowners will not be tolerated.**

Trampolines, skateboard halfpipes, badminton and volleyball nets, horseshoe stakes, swing sets, etc. – All game and recreational equipment of this type must be located at the back of the house and be within the boundary lines projected by both sides of the house toward the rear property line. They must be maintained in a usable and safe condition.

Skateboard halfpipes must be erected in a manner to generate the safest play area possible. Homeowners are encouraged to require appropriate safety equipment at all times on halfpipes. All four exterior sides of the halfpipe must be closed in with wood and painted to blend with surroundings. Bare wood is not acceptable. Once the useful life of this equipment is reached, the equipment must be disassembled. The halfpipe must be maintained in a safe and visually appealing condition, and it **must not** create an annoyance to neighbors.

If the above guidelines are not adhered to, the halfpipe will be considered a “Temporary Structure”. Under Article VIII, Section 8 of the Covenants and Restrictions, Temporary Structures are not permitted.

The ARC and Board of Directors of the Park disclaim any responsibility for the installation, maintenance or selection of outside game structures. By application to the ARC, the lot owner agrees ARC and the Board have no responsibility for personal injury resulting from outside game structures that are approved for installation.

Gardens – Flowers and ornamental plant gardens are permitted as shrubbery. A vegetable garden is **not** permitted.

Television antennas and satellite dishes- Referenced Article VIII, Section 3 of the Covenants and Restrictions and the “Telecommunications Act of 1996 Update”):

ANY television antenna or television satellite dish installation **MUST** be processed through the ARC. The Covenants and Restrictions of The Park, the ARC Guidelines and the Telecommunications Act of 1996 Update will be used as guides to decide **if, where and how** installation will take place.

FINES FOR HOMEOWNERS

- Failure to maintain mailbox, yard, landscaping, driveways, etc. \$25.00/occurrence
- Failure to comply with ARC notices \$25.00/minimum
- Third request from homeowner for a completed project notice \$25.00
- Violation of tree ordinance \$15.00/tree
- Failure to comply with ARC “Non-Conformity” notification \$125.00

ARCHITECTURAL STANDARDS

The following apply to homeowners and/or contractors.

Building walls

Wood or vinyl clapboard shall be four to six inches exposed, smooth finish with solid stain or paint, trim to be smooth with solid stain or paint.

Hardboard siding. Approved pattern and color shall be by Werzalit, Hardiplank or Masonite.

Brick shall be horizontal running bond only, raked mortar joints only with a maximum width of one-half (1/2) inch.

Stucco shall be sand finish with color approved by ARC.

Lattice and louvers – Any open area under porches and decks may be enclosed by treated wood lattice or louvers; the maximum spacing of lattice or louvers shall be three (3) inches.

Trim – Clapboard shall be flush trimmed at corners.

Cantilevers are not permitted, except as open balconies.

Patterns. Materials shall be used in horizontal bands only. Paneling is not permitted.

Foundation Walls, Chimneys and Piers

Brick shall be horizontal running board only, raked mortar joints only with a maximum width of one-half (1/2) inch.

Stucco shall be sand finish with color approved by ARC.

Wood louvers and wood lattice between stucco or brick piers. Pattern is to be approved by ARC; finish to be smooth with solid paint or stain.

Piers shall be no less than twelve (12) inches wide and eight (8) inches deep. All wall openings shall be a minimum of eight (8) inches deep.

Foundation wall and pier heights shall be no greater than thirty-two (32) inches, or that which is necessary to elevate the first floor to the minimum FEMA floor elevations.

Roof and Gutters

Roofs shall be an asphalt composition architectural grade in black or dark gray. A sample must be submitted to ARC. Exceptions may be granted on a case by case basis.

Gutters shall be prefinished aluminum or vinyl, and the same color as the trim.

Simple gable and hip roofs shall be symmetrical with a minimum pitch of 8:12 and a maximum of 14:12.

Simple shed roofs shall be asymmetrical with a minimum pitch of 4:12 and a maximum of 14:12. This requirement applies to a principal building wall and to a dormer.

Flat roofs with railings or parapets must be accessible from interior room only. Railing pattern must be approved by ARC.

Dormers shall be a minimum of thirty-six (36) inches from end gable, roofed with a symmetrical gable, hip or shed.

Windows, Doors and Shutters

Window materials shall be clear glazing, painted wood, stained hardwood, vinyl clad wood or aluminum, mullion shall be sandwiched between panes of glass. Permitted: rectangular or vertical proportion, circular or semi-circular, hexagonal and octagonal, dormer windows may be hinged casement. All doors must be hinged except garage doors, single and double hung, case, and fixed with frame, fiberglass shutters.

Door materials shall be wood, vinyl or metal clad.

Permitted assessors – operable wood shutters sized to match openings, storm windows and doors, wooden window boxes, canvas awnings (except quarter cylinders).

Glazing areas. The total glazing area on the façade shall not exceed 30% of the façade surface.

Garage doors shall conform to the existing character of the neighborhood.

Garden Walls and Fences

Brick shall be horizontal running bond only, raked mortar joints only with a maximum width of one-half (1/2) inch must be capped.

Stucco shall be sand finish with color approved by ARC and must be capped.

Wood pickets and wood lattice. Picket and color must be approved by ARC.

Location. The location of fences shall be determined on a case-by-case basis; however, fences shall be located on the property line in the rear and sides, not to extend past the rear corner of the house. If there are architectural features such as doors, windows, building offsets, etc., on the side of the house, the ARC will review the option of extending the side fence to such feature as long as it does not negatively impact the overall community or neighbors.

Visual aspects. All horizontal and vertical support shall face the interior of the property.

Not permitted. There shall be no chain link fences.

Outbuildings

Materials shall conform to the primary structure.

Massing shall conform to the primary structure.

Architectural Vocabulary shall conform to the primary structure.

Permitted: barbecues, garden pavilions and greenhouses, gazebo, trellis and arbors, garages and workshops, in-ground swimming pools (with fence) are permitted in the rear yard only.

Existing Outbuildings are permitted to remain but must be properly maintained or removed.

Landscape

Tree removal. No oak tree over four (4) inches caliper, measured at breast height, on improved or unimproved lots may be removed without prior approval of the ARC. Pine or Gum trees may be removed. Any other tree up to nine (9) inches caliper may be removed. Any tree within the building pad or driveway must be removed. Any tree above twenty-four (24) inches caliper falls within the Charleston County Tree Protection Ordinance that must be adhered to. Property owners must "flag" all trees larger than nine (9) inches caliper to be removed before the ARC can grant approval for removal. Anyone who violates the Tree Ordinance shall be fined up to \$100.00 for each tree removed.

Setbacks

Front yard – 15 feet minimum
Side yards – 5 feet minimum
Rear yards – 25 feet minimum

Lot Coverage

No lot shall have more than 36% impervious material which includes, but is not limited to, structures, paved drives, patios and walkways.

Miscellaneous

Colors must be approved by the ARC; paint chips must be provided.

Accessories must be approved by the ARC and include mailboxes, exterior lighting, lettering and numbering and exterior hardware. House numbers should be placed on the front in case of an emergency.

HVAC Equipment shall be screen from site of street or neighbors with walls, fences or lattice. Through-wall air conditioners are not permitted.

Driveways shall be paved with concrete or asphalt and must be continuous in length and width.

Not permitted in front yard: electric motors and gas meters, air conditioner compressors, garbage cans, except for the day of trash collection.

Not permitted anywhere: clothes line, above-ground swimming pools.

Time. All construction must be completed within one hundred eighty (180) days from date of building permit, unless ARC grants an extension.

SCHEDULES

ARC meetings are open to the community. Supporters and those in opposition have the right to voice their opinions, provided they act in a professional and responsible manner toward the ARC and the audience. Any attending person who does not maintain a professional attitude may be asked to leave the meeting

The ARC will meet on an as-needed basis. A 'Project Request' form will be required.

The ARC can grant final approval provided all guidelines have been achieved. If one or more of the guidelines has not been met, for better or worse for the community, The Park must give a final decision.

If an applicant receives approval, the deadline *to begin construction* is one (1) year from the date of ARC approval. If construction has not started within twelve (12) months, applicant will have to resubmit a request to the ARC. If the ARC denies a request, the applicant has the right to resubmit a request the following month or appeal to The Park Board of Directors.

DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS

Article V of the Declaration of Covenants, Conditions and Restrictions explains additional architectural controls. In case of conflict with such Declaration, the Declaration shall prevail.

HOMEOWNER PARTICIPATION

All homeowners are encouraged to participate in the review process. Anyone interested in being a member of the ARC should contact a current committee person or leave his/her name and phone number at the guardhouse. Also, ANY items of interest, violations that are seen, or comments are welcome and will be looked into swiftly.

PREAPPROVED PROJECT ITEMS

The following is a list of "SELF" accomplished projects that do not require a "Project Notice" form to be completed and may be accomplished on the residence or property. However, please note that if the project does not blend with the surroundings of The Park or match your home, the ARC will respond accordingly.

- Install a new, replace or repair storm doors or windows (must match the house).
- Repaint the house the same color.
- Repair an existing fence with the same material.
- Repair or replace shingles with the same type and color shingle.
- Replace garage door(s) with the same type door (color must match the house and surroundings).
- Any outside preventive maintenance to the house or property, i.e., clean chimney, repair flashing on roof, pressure washing, removal and/or replacement of dead shrubs, plants or trees, clean driveways, repair or replace mailbox, repair or replace screen on patios or porches.
- Small landscaping projects that do not require a contractor or heavy equipment.
- Repair or add new sod to lawn.
- Replace or repair driveways with the same material (concrete shall not be used to repair an asphalt driveway, and asphalt shall not be used to repair a concrete drive).

If you are in doubt about a project, contact management, we will contact you quickly with a response.

IN WITNESS WHEREOF, The Park Recreational Development, Inc., a South Carolina corporation, by ANDREW W. REID, its duly authorized PRESIDENT has caused this instrument to be executed this 14th day of APRIL 2008.

WITNESS:

PARK RECREATIONAL DEVELOPMENT, INC.

Amy Hawks
Paul F. Teclenburg

BY: [Signature]
Its: PRESIDENT

STATE OF SOUTH CAROLINA)
COUNTY OF CHARLESTON)

PROBATE

PERSONALLY APPEARED before me AMY HAWKS and made oath that (s)he saw the within-named The Park Recreational Development, Inc. by ANDREW W. REID, its duly authorized PRESIDENT, sign, seal and as his/her free act and deed and the free act and deed of The Park Recreational Development, Inc., deliver the within written Architectural Guidelines For The Park At Rivers Edge, and that (s)he with PAUL F. TECLENBURG witnessed the execution thereof.

Amy Hawks

SWORN TO before me this 14th day of April 2008.

[Signature]
NOTARY PUBLIC FOR SOUTH CAROLINA
My Commission Expires: 02/10/2010

[SEAL]

How to index per Page.

BA V656PG794

RECORDER'S PAGE

NOTE: This page MUST remain with the original document



FILED

April 15, 2008
3:42:51 PM

BA V656PG780

Charlie Lybrand, Register
Charleston County, SC

Filed By:

Tecklenburg Law Firm

P.O. Box 20667
Charleston SC 29413

Number of Pages:
15

DESCRIPTION	AMOUNT
MISC/	\$ 20.00
GUIDELINES	
Postage	
TOTAL	\$ 20.00

DRAWER:
C - slw

DO NOT STAMP BELOW THIS LINE