

THE BOARDWALK ON THE WATERWAY



Design & Construction Guidelines And Application and Review Procedures

Myrtle Beach
Horry County, South Carolina

June 24, 2016
Edition

Table of Contents

I Mission of the Architectural Review Committee	p.	3
II Design Review Process	p.	4
Schematic Review Process before construction	p.	5
Design Development Review before construction	p.	4
Construction Document Review before construction	p.	5
Review for Revisions, Changes, Modifications, Variance	p.	6
III Design Guidelines	p.	7
Protection of Field of View		
Setbacks	p.	7
Floor Elevation, Building Heights and Size	p.	7
Roofs	p.	8
Chimneys	p.	8
Façade Treatment	p.	8
House Numbers	p.	8
Doors - exterior	p.	8
Windows & Shutters	p.	8
Porches & Entrances	p.	9
Trim - exterior	p.	9
Building Materials	p.	9
Garage Doors, Garages	p.	10
Colors	p.	10
Driveways	p.	10
Mail Boxes	p.	10
Fences	p.	10
Satellite Dishes & Antennas	p.	10
Flags, Emblems, Exterior Sculptures, Fountains,		
Yard Accessories	p.	10
Air Conditioners	p.	11
Reflectors	p.	11
Bulkhead Maintenance Easement		
IV Construction Guidelines	p.	11
Preconstruction Requirements / Fees	p.	12
Silt Fence	p.	12
Dumpsters, Portable Toilets & Temporary Driveways	p.	12
Construction Access Times	p.	12
Exterior completion of building	p.	12
Construction Workers & Sub-contractors	p.	12
Construction Debris	p.	12
Possession / Consumption of Alcohol &/or Drugs	p.	13
Firearms & Weapons	p.	13
Nuisances	p.	13
Construction trash fires	p.	13
Homeowners Responsible for enforcement of regulations	p.	13
V Landscape Guidelines	p.	13
VI Builder Insurance Requirements	p.	14
VII Notes on Unvented Gas Fireplaces	P.	15
VIII Fines	p.	15
Forms	P.	16-23
Minor Projects Forms	P.	24-25
(Owner shall confirm need to submit any of the 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 Boardwalk on the Waterway. 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 Boardwalk on the Waterway (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.

1. Purpose

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

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

- i. Provide a systematic and uniform design review process.
- ii. 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.
- iii. Ensure that the landscape plans provide visually pleasing settings, functional satisfaction, and that landscaping blends with the natural landscape and neighboring properties.
- iv. Ensure that the construction of all building and the installation of all landscaping comply with the provisions of the Covenants and these Guidelines.

2. Development Theme

Boardwalk on the Waterway 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.

II. The Design Review Process

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

1. Become familiar with the Covenants and Restrictions (CCRs) and these Guidelines. 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 they have an Horry County Business License or be licensed by the State as an Architect. An unqualified or under-qualified designer may significantly delay your approval process.
 - i. All drawings and specifications shall contain Architect/Engineer or designer's name, contact information and license number;
3. As an option you may submit a concept or Schematic plan to the ARC for Review. There is no charge for this review if you are the lot owner and this early communication may be helpful if you are uncertain whether the design qualifies as Charleston or Low-Country.
4. Determine how you will bid the work on your home or how you will administer construction: A licensed architect will typically provide 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 earned by the contractor are in line with their payment requests. However, an owner may choose his/her own method of ensuring quality of construction and fair pricing as this is outside the scope of work of the ARC.
5. Select a qualified General Contractor: Owners may contract with any licensed contractor/builder of their choosing. However, all contractors/builders shall be professionally qualified and properly licensed with the State of South Carolina and with Horry County with their qualifying information noted on the Submittal Form Two. Any and all 'prime sub-contractors' shall be licensed with their qualifying information noted on the Submittal Form Two. A prime subcontractor shall be any company or person whose work is required to be completed in order to receive a Certification of Occupancy for the home. Prime subcontractors typically include HVAC, Electrical, Plumbing and may include Irrigation, Pool and Landscaping contractors.

A. The Schematic Review

The Schematic submittal is elective and can be initiated following delivery of the Schematic Review Form to the Association Manager (AM). Once logged into the review site by the AM, the applicant will receive a passcode to access the review site. They then must submit the following for the review to commence:

SITE PLAN:

- The ARC requires that the site plan be among the first drawings submitted for review, just to ensure the home fits the lot. A detailed survey described as being required for the Design Development submittal is ideal. However, since this is only a cursory review, the home designer may provide an abbreviated drawing showing the home placed on the site. Ensure the plan shows the setbacks and as a minimum the rear corners of any adjacent home(s) and the 125 degree protected field of view. See Article III A.

HOME PLANS

- Floor plans indicating total heated and unheated square feet.
- A minimum of four elevations (show overall height)
- A roof plan

B. Design Development (DD) Review

A Design Development review is required prior to submittal for the Final Review. Submit Form One by mail or hand deliver to the Association Manager with your check for the design review portion of the work. Once you receive your login information, you should upload other required forms. (Security Deposits must be paid by the contractor prior to Site Staking)

As as a minimum the following documents are required to be submitted to the ARC for review:
(To avoid delays ensure all items are included in your submittal):

1) Detailed Site Survey:

The site survey must be prepared by a registered surveyor licensed in South Carolina. The Site plan 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 following will be needed as part of the survey for review by the Architectural Review Committee:

- i) Boardwalk on the Waterway infrastructure to include improvements, roads, utilities, and utilities adjacent to subject property.
 - ii) Property lines with dimensions and bearings.
 - iii) Setbacks, right of ways, easements.
 - iv) Contours at two-foot increments. The surveyor shall establish a benchmark at the intersection of a straight line projection of the right side property line with the street curb at the point it intersects with the asphalt. The benchmark shall be indicated by a nail head set flush with the asphalt at that point. Its elevation shall be called out as actual height above mean sea level or called out to be 100. All topographic lines on site shall be in reference to that benchmark. Existing topographic contours shall be shown by dashed lines. Proposed finished contour lines shown with solid lines.
 - v) Locate the side walls and corners of any home on an adjacent lot.
 - vi) Show 125 degree field of view protection line off adjacent home, where applicable. (Article III A)
 - vii) North arrow.
 - viii) Locate all other features of the site such as hydrants, water meters, sewer stub ups, sidewalks, transformers, utility boxes, FEMA designations, flood planes, wetlands, etc.
 - ix) Indicate total Square Footage of the site.
- 2) Ground Level Plan at 1/4" = 1'0" scale to include:
- i) Foundation &/or pier locations.
 - ii) Driveways.
 - iii) Garbage, HVAC, pool equipment enclosures: MUST be constructed of materials that complement the home, are aesthetically pleasing and functional.
 - iv) Stairway.
 - v) Any other enclosures or improvements.
- 3) Floor Plan(s) at 1/4" = 1'0" scale to include:
- i) Rooms labeled. Also note total Heated SF.
 - ii) Walls, windows, door swing, and any other notable features.
- 4) Elevations at 1/4" = 1'0" scale to include:
- i) Front, rear, and both sides.
 - ii) Height from grade to roof ridge.
 - iii) Relationship to grade. (If the grade slopes, the side elevations should show this)
 - iv) Equipment Screening type and location. Screening on sides of stairs.
- 5) Wall section. Cut through window with head and sill, include soffit and extend to grade.
- 6) Form Two, checked as being for the Design Development review.

C. Construction Document (CD) Review

The Construction Document Review is required. Following receipt and incorporation of the DD review comments from the ARC, the following shall be submitted:

- 1) Full set of drawings with ARC DD comments incorporated.
- 2) A copy of Form Two checked as to being part of the CD review with any changes from the DD review.
- 3) If applicable, a revised Site Plan to include any additions or changes from the DD submittal.
- 4) A plan showing the location of all construction signage, dumpsters, port-o-johns, construction material, and staging areas for construction material.
- 5) A site drainage plan for construction.
- 6) Exterior lighting plan and description of fixtures.
- 7) Planned location for the sample board.

- 8) Landscape Plans: Plans should be prepared by a Licensed Landscape Architect or Landscape Designer. This plan may be delayed until the call for a dry-in review but the dry-in review may be delayed if this plan is not submitted by that time.
 - a. Plant material name, variety, size, location and quantity.
 - b. Lawn area and type of ground cover.
 - c. Irrigation system
- 9) Enlarged details fully delineating the exterior features of the home.
- 10) Screened porches, decks, railings and exterior stair details.
- 11) Schedules showing:
 - a. Finish
 - b. Doors
 - c. Windows
- 12) Site photos and photos of any preconstruction damage to curbs or roadways.

LIMITATION OF LIABILITY: 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.

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 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.

GENERAL NOTE ON TIMELINESS OF THE REVIEWS: Owners should expect that each of the DD and CD reviews may take ten business days. However, incomplete submittals can delay the review substantially. Please ensure that ALL items called for above are included with your submittals. The Boardwalk Covenants allow up to 45 days for the ARC to review “completed” submittals. Generally, the review process using the electronic submittals does not take this long.

Property owners will be notified by e-mail of the status of approval. This approval will be effective for twelve (12) months from the date of approval or approval of on-site preconstruction review at a later date. If construction has not substantially begun within the 12-month period, the permit will become void and the owner must request an extension stating the reason for the delay or the ARC may require the process to start from the beginning.

D. Building Permits

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. Review for revisions, changes or modifications

Homeowners are not permitted by the CCRs make any revisions, changes or modifications to their homes without ARC review and approval.

1. Submit Form One registering the project with the HOA.
2. Submit fee and deposit as described in Article IV 3 and 4.
3. Once you are logged into to the review site, submit scaled Plans and Elevations including a Site Plan and Landscape Plan noting changes.

F. Variance

In order to avoid placing an undue burden on any homeowner, the owner may request a variance. This shall be submitted to the Architectural Review Committee in writing. The following factors will be weighed heavily in considering whether a variance is needed:

- a. The requested variance would not affect the overall community or deter the purpose of the guidelines or covenants.

- b. The property, because of size, shape or topography, creates extreme circumstances.
- c. The owner would suffer hardship due to a specific requirement of the guidelines. Cost of a requirement is not considered a sufficient reason to approve a variance.

III. Design Guidelines

1. Protection of the Field of View:

Each owner of an ICW or Waterfront lot has the expectation of enjoyment of the view of that feature even if not fully across their property. For this reason the ARC has established criteria for protecting the Field of View as follows:

- Given an angle of 125 degrees off the back corner of any existing or projected home on any lot, except as approved by the ARC, no structure or tall landscape element may be placed on an adjacent lot within their neighbor's field of view.
- The ARC will strive to protect the field of view, but does not offer a Guarantee or Warranty. When there is any conflict with this criteria, the management of the field of view requirement will be evaluated and a decision rendered as determined in its sole discretion by the ARC.
- The field of view must be shown on each site plan by the surveyor when there is an adjacent home and a rear yard water feature. To find the field of view line, extend a line from the nearest back corner of the home on an adjacent site, parallel to the side wall, 8'-0" out from that corner. From that point, go 90 degrees toward the lot with the proposed new construction a total distance of 5'- 8" and create a second point. Extend a string line between the corner of the house over the second point and extend beyond the proposed construction. That line defines the 125 degree field of view which is protected.

2. Setbacks:

Side yards: 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.

Front yards: As shown on Plat. No less than twenty (20') feet. Notwithstanding the foregoing, stairs and landings may encroach into such Setback to within twelve feet of the front property line so long as it is in conjunction with an approved residential structure on said lot.

Rear yards: No less than thirty-five (35') 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 Lines for The Boardwalk on the Waterway. Although rear setback lines shall be thirty-five (35') feet on Waterfront Lots, no main building structure shall be within forty (40') feet of the rear property line; decks, gazebos and other out structures to be no closer than the thirty-five (35') foot setback line.

Additional building restrictions contained or referred to on the recorded plat may apply.

3. Floor Elevations, Building Heights and Square Footage:

Criteria for establishing Site Finished Grade, Building Heated Square Footage (SF) and Building Height measurements:

- Existing topographic grade elevations shall be determined by a surveyor's measurement of the site, and shall be provided to the ARC on the site plan with the initial drawing submittal.
- The plans for construction shall use the site plan information described above to set the proposed finished grade. Proposed finished grade should be shown on the architectural site plan with solid lines.
- The first floor elevation (FFE) of the home shall be a plane at least 24 inches higher than the highest point on the site for the proposed finished grade, within five feet of the proposed exterior walls of the home.

- Slab on Grade construction is not consistent with the aesthetic standards of a Charleston/Low Country design and is not permitted. Therefore, any space not elevated a minimum of 24 inches above the highest point of the actual finished grade on the site shall be considered a basement and shall not be counted as part of the minimum required heated square footage of the home.
- All homes are required to be a minimum of two stories and a maximum of three stories.
- The minimum heated square footage of all floor areas meeting or exceeding the FFE minimums shall be 2400 for lots along the ICW and 1800 SF on all other lots. (Heated SF does not include porches, decks, basements or garages as determined by the ARC in its sole discretion)
- No structure within Phases I and II-A in the Boardwalk on the Waterway community shall exceed a total height of forty-five feet (45'). The maximum building height for Phase II-B, Phase III and Phase IV shall be thirty-five feet (35'). This dimension shall be measured from the Finished grade elevation adjacent to any wall to the highest ridge line of any roof element.

4. 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 or equal, metal, tile or other material approved by the ARC. Where copper is specified it should contribute as a design element. Locate flues, skylights and vents on rear slopes so as not to be visible from street. They must blend in color with the roofing material.

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.

5. Chimneys:

In keeping with the architectural theme, with particular attention to the chimney peak, chimneys must be of brick or stucco over masonry. Metal fireboxes are permitted only if surrounded by masonry. Synthetic stucco (EIFS) and wood or simulated wood siding materials are not permitted for use as chimney cladding.

6. Façade Treatment:

Boardwalk on the Waterway 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. As such, certain styles such as motor court designs will not be approved. Structures must blend from one to the next in character and 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 and other such devices will be painted and positioned to blend with the exterior.

7. House Numbers:

It is the responsibility of the owner to mark their house with identifying numbers. All numbers identifying each residence shall adhere to the following criteria: 4" high numbers. Numbers will be brass or black, and the font style is to be san serif only, as illustrated here: **2556**. Numbers only – letters are not permitted.

8. Exterior Doors:

Doors should be used that are appropriate for the architectural period of the house. 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 Board. A spec sheet should be submitted with colors shown, if colored glass is desired. Clear leaded glass is permitted with the approval of the Board. The Board must approve storm or screened doors; they must be appropriate with the design and period of the house.

9. Windows & Shutters:

Windows with mullions are preferred. They should appear as authentic as possible utilizing simulated true divided lines. Snap-in mullions are not acceptable. All windows are to be fixed glass, double hung, or casement and the style should be compatible with the architectural period of the house. Storm windows will be permitted if designed correctly and

approved by the Board. 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. All shutters should be operable or appear operable, include the appropriate hardware, and be sized to match the window opening. When window shutters are used they shall be provided on all windows of an elevation.

Vinyl windows are not approved except for the following manufacturers and styles: Simonton - Master Pro finish; Viwinco; Jeld-Wen - Select Vinyl; Ply Gem - Pro Series (MW) Classic; Windsor-Signature series; Pella 350 series. Single hung windows are not permitted nor are screens permitted in windows that only cover a single sash of a two sash window.

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 exposed to the exterior shall be neutral in color as viewed 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.

Glass block is not permitted on the front or street facing elevations.

10. 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 is recommended, but no less than six feet in any case. 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.

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.

11. 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 stucco. Window trim should be a minimum of 4” (nominal).

12. Building Materials: The ARC encourages the use of only the best quality materials available.

- 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), vinyl or aluminum siding and Masonite 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.

13. Garages:

A two-car garage is required for every residence. For properties located on the Intracoastal, garages are required to be attached. 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 (side entry from the courtyard side of the home) are not consistent with the theme and do not support the desired pedestrian scale of the community.

14. Colors:

Colors should be in keeping with the selected period of the house. Please refer to the Sherwin Williams Colors of Historical Charleston color gallery for an acceptable color palette. 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.

15. Driveways:

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.

16. Mailboxes:

A standard mailbox and post has been selected for ALL homes. Location of mailbox must be shown on the site plan and approved by the ARC and have USPS location approval. Consult the local Postmaster for confirmation of box placement. Mailbox shall be Model 4850. Order thru Jason Jordan palmettomailboxes.com 843-421-6111 ONLY the street number (3 numbers) is allowed on each side of box.

17. Fences:

All fence plan designs, colors, materials and locations must be submitted and approved by the ARC prior to construction. The use of visually permeable (i.e. wrought iron) fences is strongly suggested, and required where visual impact is significant to public areas or where a field of view is impacted. Fence height shall be limited to four feet (48") only permeable fences (such as wrought iron or brushed aluminum- painted black) will be allowed on home sites. Fences shall not extend into the 35 foot bulkhead maintenance easement along the ICW.

(For detailed information on easements, please refer to Article VI, Section 8 of Covenants & Restrictions.)

ELECTRIC FENCES: Above ground electric fences are prohibited.

18. Satellite Dishes & Antennas:

TV and satellite dishes shall not exceed twenty-four inches (24") in width and must be screened from view from both the roads and the waterway. Roof installation of such devices is not preferred. If roof installation is required for successful signal reception, ARC approval must be acquired prior to installation. Antennas (short wave radio or other) are not allowed if they are visible from the exterior portion of the site.

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

One official flag of the United States of America 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. No artificial vegetation shall be permitted on the exterior of any portion of the Subdivision. 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.

20. Air Conditioners and Compressors:

Shall be located out of view of neighbors and street. The units should be screened from view and excessive noise. Window mounted or through the wall air conditioners are prohibited.

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

22. Bulkheads along the ICW:

In accordance with Article VI Section 10 and Exhibit "B" of the CCRs, no building structure shall be within 40 feet of the rear property line, nor shall a pool, deck, gazebo or other outdoor structure be closer than the 35 foot setback line or 35 foot Bulkhead Maintenance Easement. Walls within 30 feet of the boardwalk shall not exceed 48" in height. No terrace wall shall exceed 72" in height.

IV. Construction Guidelines

BEFORE construction can begin, the owner must

- Receive FINAL approval from the ARC
- Obtain all city and county permits and post appropriate permit at job site.
- Prepare the site for the Staking review and Submit Form Three requesting an on-site review.
- Submit a copy of their Builder License
- Submit compliance security deposits and bonds as identified in Article VI.
- Submit proof of insurance naming Boardwalk on the Waterway HOA as the "Certificate Holder."
- It is required that a copy of the Construction Requirements be given to all contractors.

1. The OWNER has the responsibility of bringing the applicable contents of the following paragraphs to the attention of all contractors and other persons working on their home construction site.
2. 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.
3. FEES PAID BY OWNERS OR CONTRACTOR ARE REQUIRED WITH SUBMITTAL FORM ONE:
 - a. NEW HOME ARCHITECTURAL REVIEW FEE: posted with the ARC in the amount of \$1,000.00. Three on site reviews are included in this fee.
 - b. RENOVATIONS: A \$550.00 Review fee for renovations requiring a building permit. The review includes one site review after completion.
4. FEES PAID BY CONTRACTOR ONLY ARE REQUIRED WITH SUBMITTAL FORM THREE (Request for site review). Note: Owners should not pay contractor for these deposits. It should come from their funds.
 - a. COMPLIANCE SECURITY DEPOSIT posted with the ARC in the amount of \$2,500.00. Contractors shall keep the property in a neat, clean, workmanlike manner and to ensure that the owner's contractors complete improvements in accordance with the approved plans and specifications. Should the same not be done at the end of any business day or the end of construction, some, or all of the bond 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. See Article VIII for fines.
 - b. ROAD BOND: new construction, posted with the ARC in the amount of \$2,500.00 (\$500.00 non-refundable): 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 \$500 NON-REFUNDABLE for Road Maintenance] not applied to necessary repairs will be refunded at the end of construction.

- c. LANDSCAPE BOND: new construction: posted with the ARC in the amount of \$1,000.00 (refunded following final approval by ARC)
 - d. RENOVATION SECURITY DEPOSIT: \$1,500.00 for remodeling projects, requiring a building permit, or requiring use of a tractor larger than a John Deere 2000, Bobcat or a truck larger than ¾ ton. No road impact fee is charged for remodels or renovations.
5. Protective Silt Fencing: In addition to any silt fence installed for the purpose of controlling silt; install a silt fence fully along the front of the site and the edge of the street, and fully along the sides of the lots beside your lot, obtaining neighboring property owner's permission where applicable. This measure is solely intended to protect neighboring properties from construction damage and to prevent mud being tracked on roads from the construction process.
 6. A separate plan 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 20 feet wide by 25 feet long, minimum. The driveway shall be covered in 5 inch deep ABC (aggregate base course) stone. The stone is intended to keep mud from the street and allow on site construction parking. At the edge of the road, the contractor shall install continuous silt fencing, whether required in that location or not, in order to prevent parking on the ground in front of the yard, which would create a mud path to the street.
 7. Construction access will be allowed only between 7am-6pm Monday through Friday. Saturday construction is allowed only between 8am-5pm. NO construction will be permitted on Sundays, or Holidays as follows: New Years Day, Martin Luther King Day, President's Day; Memorial Day, Independence Day, Labor Day, Veterans Day, Thanksgiving, Day After Thanksgiving, Day Before Christmas, Christmas, Day After Christmas. (other than emergency or as approved in advance by the ARC).
 8. 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.
 9. Temporary power poles are to be erected plumb. Temporary utilities may be installed for electricity and water as indicated on the site plan.
 10. The exterior of all buildings must be completed within twelve (12) months from the date of approval. Contractor to remove all permit boxes and any contractor related signage within twelve (12) months from the start of construction.
 11. Construction workers will not be allowed to enter or leave Boardwalk on the Waterway on foot.
 12. Subcontractors and construction workers seeking employment with subcontractors will be denied access to Boardwalk on the Waterway.
 13. Construction workers are not permitted in any Boardwalk on the Waterway facilities, including restrooms. A portable toilet is required at the job site during construction.
 14. Construction workers are not permitted to fish in any lagoon or from any boat dock or adjacent waters to Boardwalk on the Waterway. Construction workers are NOT permitted to use the Boardwalk boat dock, boat storage area, gazebo and its amenities at any time.
 15. Construction workers must remain on the job site at all times.
 16. 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 written notice of violation. See Article VIII for penalties.
 17. Commercial Dumpster: (Or other suitable dumping containers and procedures). 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.
 18. Roads: Ensure that debris does not litter the streets and roads.
 19. 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.

20. 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 away from existing homes or street. Indicate on the required site plan the location of the portable toilet. Provide wood lattice painted white on the rear and sides of the portable toilet structure to shield it from the community.
21. Temporary Services: The property owner is responsible for arranging for his own utility service connections. Indicate on the CD architectural site plan the location of this service.
22. The possession and/or consumption of alcohol or illegal drugs in Boardwalk on the Waterway are prohibited. Violators will be removed from the premises. Repeat offenders will not be allowed into Boardwalk on the Waterway for six (6) months following the 2nd offense.
23. Firearms or other weapons in the possession of non-owners while in the Boardwalk on the Waterway community are prohibited. Violators will be removed. Discharge of firearms is prohibited by the CCRs.
24. Any nuisance such as loud radios, use of horns and profanity, is prohibited.
25. All construction personnel and visitors are subject to these regulations and the Covenants of Boardwalk on the Waterway. Violators may be denied access to the construction site.
26. Fires of any nature are not permitted during construction.
27. Trades people may not have dogs, cats or pets on Boardwalk on the Waterway.
28. No one below the age of 16 is permitted on any construction site for any reason at any time.
29. 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 Boardwalk on the Waterway Architectural Review Board. Any modifications to existing utility lines and facilities required by the construction are the responsibility of the owner.
30. 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.

V Landscape Guidelines

1. Outside play or sports equipment is to be screened from neighbors and street, and is to be constructed of wood, and painted or stained to blend with nature.
2. MINIMUM LANDSCAPING REQUIRED is as follows:
 - a. Adjoining back yards to be screened with appropriate plant material appropriate to the climate conditions of the area, drought resistant plants are recommended.
 - b. Grass sod shall be placed on ALL exposed disturbed areas on lot.
 - c. At least 25 foundation shrubs placed in key locations around all sides of the house provided in 3-gallon containers. 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.
3. An irrigation system with automatic timer shall be installed and be fully operational.
4. The full extent of the planting beds and individual plant varieties shall be identified on the landscape plan. Layers of plants are recommended.
5. 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.
6. 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.
7. Pine Straw is not permitted due to its potential for sustaining a fire.
8. 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.

9. No work shall be started until approved by the Boardwalk on the Waterway ARC.

10. Plant size standard shall be in accordance with ANSI Z60.1-2014.

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 NO LATER THAN THIRTY (30) DAYS AFTER A SATISFACTORY FINAL INSPECTION. 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.

VI. Builder Insurance requirements

Builders are a crucial element in the integrity of the subdivision and therefore fall within the scope of regulation by the ARC. Solely for protection of community assets, the ARC will confirm that builders are licensed and meet the minimum insurance requirements listed herein. However, any and all additional qualification of a builder is the sole responsibility of the property owner. Evidence of insurance shall be provided with Form Three.

With regard to all activities conducted under these Guidelines, Builder, or owner building their own home, shall carry public liability insurance in a solvent insurance company licensed to do business in the State of South Carolina, or satisfactory to the Boardwalk on the Waterway Home Owners Association Board of Directors. 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 Boardwalk on the Waterway 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 keep all homes 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. All proceeds from any loss shall be used by Builder to replace or restore the inventory homes to their original condition.

In the event that a home is destroyed or damaged in whole or in part, and in the event there are insurance proceeds in excess of the costs needed and used to restore the inventory home to its original condition, then such excess shall become the sole property of the Builder. And deficiency in monies needed to restore a home to its original condition shall be paid by Builder.

During the term of this Agreement, 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 Boardwalk on the Waterway Home Owners Association Board of Directors.

VII: Note on Unvented Gas Fireplaces.

The ARC highly recommends that owners not install Unvented Gas Fireplaces in their home. Although legal in South Carolina, using the occupied areas of the home as the “vent stack” for combusted gas products is very likely to be harmful to the health of the occupants. In addition to levels of CO that are permitted to exist below a fatal level, combusted gas is known to contain carcinogens and produces water vapor that has been linked to mold. Please take time to research the many reports on this topic before making this decision for your home and your family.

VIII: 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 spillover 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 or for allowing silt to discharge into the community storm sewer 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. See Article IV item 7.
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 Stop Work notice will be issued when the infraction is discovered.
6. For allowing delivering of materials outside of the hours of working hours. \$100 per incident.
7. For installing non-approved windows: \$500 per window up to \$5,000.00
8. For not meeting the minimum first floor height of 24 inches: \$5,000.00.
9. For exceeding the one year construction time frame, or approved extensions: \$25.00 per day for first 30 days; \$50.00 per day from day 31 to completion.
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.
12. A Stop Work order will be issued when accumulated fines exceed 50% of the Compliance Deposit amount and the contractor does not add funds to bring the deposit back to 100% within ten days of notification from the ARC.

BOARDWALK ON THE WATERWAY REQUEST FOR A SCHEMATIC REVIEW

MAIL THIS FORM AND THE REQUIRED FEES, IF APPLICABLE

TO: BOARDWALK ON THE WATERWAY HOMEOWNERS ASSOCIATION, INC.

C/O Cedar Management Services

PO Box 481349, Charlotte, NC 28269 704-644-8808

COMPLETE THE FOLLOWING:

Lot Number: _____

Your Name: _____

Your e-mail address: _____

Best Telephone number to reach you if needed: _____ (with Area Code)

Please check one of the following:

A: ____ I am a lot owner in Boardwalk on the Waterway and am requesting a Schematic Review. There is no fee for this review. I am also confirming that Association fees owed to the HOA are current for this year.

B: ____ I am not a lot owner but would like to have an official opinion from the ARC as to whether a home I would like to build in Boardwalk on the Waterway generally meets the Boardwalk on the Waterway Architectural Guidelines. Enclosed is my check for the \$200 review fee. This fee will not be credited toward future reviews.

The Association Manager will enter your information on the Architectural Review site and you will be notified by email as to how to log in and upload the required documents, which include the items specifically mentioned under Article II A.

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. All ARC notifications will be issued digitally.

Date Submitted: _____ Proposed Construction Start: _____

By: (signature) _____

Print Name: _____ Title: _____

SCHEMATIC REVIEWS ARE OFFERED WITH THE UNDERSTANDING THAT FULL APPROVAL TO CONSTRUCT A HOME WILL ONLY BE PERMITTED FOLLOWING APPROVAL OF THE COMPLETE CONSTRUCTION DOCUMENT (CD) SUBMITTAL. THE CD SUBMITTAL NEEDS TO FULLY COMPLY WITH ALL PUBLISHED REQUIREMENTS OF THE ARC GUIDELINES.

Shaded Areas To Be Completed By BOWHOA Only			
B: \$200.00 FEE	Check #: _____	Date: _____	Paid By: _____
Application Received By: _____			Date: _____

BOARDWALK ON THE WATERWAY FORM ONE: REQUEST FOR AN ARC REVIEW

MAIL THIS FORM AND THE REQUIRED FEES, IF APPLICABLE

TO: BOARDWALK ON THE WATERWAY HOMEOWNERS ASSOCIATION, INC.
C/O Cedar Management Services
PO Box 481349, Charlotte, NC 28269 704-644-8808

(YOU WILL BE NOTIFIED BY E-MAIL HOW TO MAKE FUTURE SUBMITTALS)

COMPLETE THE FOLLOWING:

Lot Number: _____
 Lot Owner: _____
 Lot Owner's Email Address: _____
 Registrant Name (primary contact if different from owner): _____
 Registrant e-mail address: _____
 Registrant Best Telephone Contact: _____ (w/area code)

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

- I. Initials _____ Homeowner's fees owed to the HOA are current for current year.
- II. Initials _____ New Home ARC Review fee - \$1,000.00.
- III. Initials: _____ Remodel of Existing Home \$550.00
- IV. Initials _____ Contractor Security Deposit: \$6,000.00 (See Article IV-4; \$500 shall be retained by the HOA)
- V. Initials _____ Contractor Security Deposit for Renovation. \$1500.00. No portion retained by the HOA.
- VI. Initials _____ Minor Project. See Minor Project Form, page 25.

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. All ARC notifications will be issued digitally.

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

Shaded Areas To Be Completed By BOWHOA Only			
\$ _____ ARC Fees II or III	Check #: _____	Date: _____	Paid By:
\$ _____ Security Deposit: IV or V	Check #: _____	Date: _____	Paid By:
BOWHOA Fees Current?	<input type="checkbox"/> YES <input type="checkbox"/> NO	Insurance Per Article VI?	<input type="checkbox"/> YES <input type="checkbox"/> NO
Application Received By: _____			Date: _____

NOTE TO OWNERS AND CONTRACTORS: SECURITY DEPOSIT SHALL BE PAID BY THE CONTRACTOR FROM ITS OWN ACCOUNT. THE OWNER SHOULD NOT 'FRONT' THE SECURITY DEPOSIT COST AS IT IS INTENDED TO COVER THE COST OF DAMAGE OR PAYMENT OF FINES DUE TO CONTRACTOR NEGLIGENCE. DEPOSIT REFUNDS WILL BE RECONCILED AT THE END OF THE PROJECT AND WILL BE REFUNDED TO THE CONTRACTOR.

BOARDWALK ON THE WATERWAY
ARCHITECTURAL REVIEW
FORM TWO (three pages)
MATERIALS OF CONSTRUCTION

AFTER SUBMITTING FORM ONE, YOU WILL RECEIVE INSTRUCTIONS BY E-MAIL AS TO HOW TO SUBMIT THIS FORM, YOUR DRAWINGS AND YOUR SPECIFICATIONS.
ALL INFORMATION, INCLUDING THIS FORM MUST BE SUBMITTED DIGITALLY AS A PDF, or JPEG.

DATE OF THIS SUBMITTAL: _____ LOT #: _____

I AM SUBMITTING FOR A Design Development (DD) _____ Construction Document (CD) _____ (check one) REVIEW

The DD review is the first official submittal and should contain enough information for you to obtain a building permit. Once approved by the ARC, the ARC will not pose additional requirements on your design, allowing you to fix construction pricing and work with the Bank for a Loan.

Once you receive DD approval, provide the CD submittal which are the documents you will provide to the workers in the field to build your home. The ARC needs to confirm that the design is fully detailed to show all exterior items and to ensure no changes were made that will negate DD approval.

PROPERTY ADDRESS: _____

OWNER: _____

CURRENT ADDRESS: _____

CITY/STATE/ZIP: _____

PHONE(S): _____ EMAIL: _____

DESIGNER ¹(see footnote below) _____ License Number: _____

MAILING ADDRESS: _____

CITY/STATE/ZIP: _____

PHONE: _____ EMAIL: _____

BUILDER: _____ License Number: _____

MAILING ADDRESS: _____

CITY/STATE/ZIP: _____

SUPERINTENDENT PHONE: _____

SUPERINTENDENT EMAIL: _____

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

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

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

EXTERIOR MATERIALS: (upload to the review site a digital photograph of proposed material taken in normal daylight or

1 BOARDWALK ON THE WATERWAY REQUIRES DESIGNERS TO HAVE A LICENSE IN THEIR NAME OR BE A FULL TIME EMPLOYEE OF A COMPANY THAT DOES HAVE A LICENSE.

Use manufacturer's website photos where available.)

BRICK: _____ COLOR: _____

STONE: _____ COLOR: _____

STUCCO: _____ COLOR: _____

SIDING: _____ COLOR: _____

OTHER: _____ COLOR: _____

ROOF: _____ COLOR: _____

WINDOWS: _____ COLOR: _____ (see approved vinyl list)

TRIM: _____ COLOR: _____

DOORS: _____ COLOR: _____

SHUTTERS: _____ COLOR: _____

DRIVEWAY: _____ COLOR: _____

WALKS: _____ COLOR: _____

OTHER: _____ COLOR: _____

GARAGE DOOR: _____ COLOR: _____

FIREPLACE? YES NO CHIMNEY MATERIAL: _____

**FOR YOUR HEALTH AND SAFETY UNVENTED GAS FIREPLACES ARE HIGHLY DICOURAGED (SEE ARTICLE VII)
EXPOSED METAL STACKS ARE NOT PERMITTED.**

CONFIRM THAT YOU ARE ALSO SUBMITTING THE FOLLOWING:

Initials: _____ DESCRIPTION OF HOME AND AMENITIES: A complete set of plans and elevations, wall sections and details along with a full set of specifications. Each drawing lists the lot number.

Initials: _____ SITE PLAN: A Site Plan is provided as described under Article II B.

Initials: _____ EROSION CONTROL AND SITE MANAGEMENT:

- a) A Drainage and Erosion Control Plan and including stone driveway.
- b) Show portable toilet, dumpster, and spoil locations.

Initials: _____ PHOTOS:

- a) Digital photos of the site, labeled as to location and orientation of the view.
- b) Detailed photos of the street and curb showing any pre-construction damage.

Initials: _____ LANDSCAPE PLAN: A Landscape Plan submitted with a legend identifying all landscape elements, pools, patios and fences. This plan may be submitted no later than Dry-In review date.

Initials: _____ VISUALLY PERMEABLE FENCES:

Fences proposed herein comply with being visually permeable where required by these guidelines.

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 BOARDWALK ON THE WATERWAY 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.

Lot Owner Signature

Date

BOARDWALK ON THE WATERWAY
ARCHITECTURAL REVIEW
SUBMITTAL FORM THREE (one page-use three times)
REQUEST FOR ON-SITE REVIEWS

LOT # _____

UPLOAD THIS FORM IN SAME MANNER AS SUBMITTAL FORM TWO EACH TIME A REVIEW IS REQUESTED

1. 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 (SEE "BOARDWALK ARCHITECTURAL GUIDELINES").

STAKING OF THE OUTLINE OF THE HOME WITH STRING LINES ALONG MAJOR WALLS; SAMPLE BOARD; SILT FENCE; CONSTRUCTION FENCING; TREE PROTECTION AND STONE CONSTRUCTION DRIVE MUST BE IN PLACE *PRIOR* TO BEGINNING ANY CONSTRUCTION ACTIVITIES OR CALLING FOR THIS REVIEW. NOTE: FAILURE TO INSTALL SAMPLE BOARD PRIOR TO THE FIRST ON-SITE REVIEW WILL AUTOMATICALLY REQUIRE AN ADDITIONAL SITE REVIEW AND FEE OF \$150 DEDUCTED FROM THE CONTRACTOR'S DEPOSIT.

CONCURRENT WITH THIS FIRST REVIEW REQUEST, CONTRACTOR INFORMATION IS REQUIRED AS NOTED ON THE SECOND PAGE OF THIS FORM:

Signature of Person Requesting Review:

Date

2. REVIEW AT DRY-IN:

AT THE POINT THAT THE HOME HAS ROOFING AND THE WINDOWS AND DOORS ARE INSTALLED, THE OWNER OR BUILDER SHOULD NOTIFY THE REVIEW BOARD TO CONDUCT A REVIEW. THE REVIEW WILL BE SCHEDULED AS SOON AS PRACTICAL BY THE REVIEWERS. CONSTRUCTION SHOULD CONTINUE WITHOUT REGARD TO THE TIMING OF THE ON-SITE REVIEW.

CONCURRENT WITH THIS SECOND REVIEW REQUEST, ANY CHANGE TO CONTRACTOR INFORMATION IS REQUIRED AS NOTED ON THE SECOND PAGE OF THIS FORM:

Signature of Person Requesting Review:

Date

3. 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.

Signature of Person Requesting Review:

Date

**BOARDWALK ON THE WATERWAY
ARCHITECTURAL REVIEW
LOT INSPECTION AT SITE STAKING**
(Note: All parties required to be on site at inspection)

1. Lot Number: _____ Inspection Date: _____ Time: _____
2. Street Address: _____
3. Homeowner: _____
4. Builder: _____

Road and Curbing: Any pre-construction damage? _____

Water Meter: Condition of cover and piping: _____
Type of protection: _____

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: _____

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: _____

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 BOARDWALK ARC will have roadways cleaned and bill will be sent to the homeowner.

Building materials delivered to the site: If building materials delivered to the site spill onto roadway it is the responsibility of Delivery Company/ builder/homeowner to clear materials from roadway. If not cleared from roadway after notification by community management, BOARDWALK ARC will have roadway clean 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.

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

Homeowner: _____ Date: _____

Builder: _____ Date: _____

BOARDWALK ARC: _____ Date: _____

Photos on file? YES NO

**BOARDWALK ON THE WATERWAY
ARCHITECTURAL REVIEW
LOT INSPECTION AT DRY-IN**

- A. Lot Number: _____ Inspection Date: _____
- B. Street Address: _____
- C. Homeowner: _____
- D. Builder: _____

Curbing: Any damage due to new construction: _____

Water Meter: Condition of cover and piping: _____

Type of protection: _____

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: _____

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

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

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

Confirm Roofing Materials: _____

Confirm Windows: _____

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: _____

BOARDWALK ARC: _____ Date: _____

Photos on file? YES NO

BOARDWALK ON THE WATERWAY
ARCHITECTURAL REVIEW
LOT INSPECTION AT FINAL REVIEW

- 1) Lot Number: _____ Inspection Date: _____
- 2) Street Address: _____
- 3) Homeowner: _____
- 4) Builder: _____

Curbing: Any damage due to new construction: _____

Water Meter: Condition of cover and piping: _____

Type of protection: _____

Sewer System: Condition of cover and piping: _____

Silt Fence Condition: Removed? If no explain: _____

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: _____

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

Building materials stored off site: If on neighboring property has damage been fully repaired per the Guidelines?

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

Landscape Elements as approved: If no, explain: _____

Condition of neighboring properties impacted during the course of this work:

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

Homeowner: _____ Date: _____

Builder: _____ Date: _____

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

BOARDWALK ARC: _____ Date: _____

Photos on file? YES NO

APPENDIX A

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. (All documents uploaded to the review site must be labeled...e.g. First floor; Site Plan; etc.)

Part A Minor Project: A review fee and application are 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.
- (3) 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.

Part B Minor Project: Application is required, however no review fee is required for the following Minor Projects:

- (1) Satellite dishes installed on poles. Units should not exceed six 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 or modifications which enlarge a planting bed for landscape.
- (5) Yard ornaments visible from the front of the home or from a common area, lake or pond.

Part C Minor Project: Neither 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.
- (4) No permanently mounted basketball goals may be installed. Only portable units may be placed in a yard, which must be put away each evening after use. No application is required for portable basketball goals.

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.

BOARDWALK ON THE WATERWAY REQUEST FOR A MINOR PROJECT REVIEW

DELIVER THIS FORM AND THE REQUIRED FEES, IF APPLICABLE
TO: BOARDWALK ON THE WATERWAY HOMEOWNERS ASSOCIATION, INC.

C/O Cedar Management Services
PO Box 481349, Charlotte, NC 28269 704-644-8808

COMPLETE THE FOLLOWING:

Lot Number: _____ -M
 Your Name: _____
 Your e-mail address: _____
 Best Telephone number to reach you if needed: _____ (with Area Code)

Please check one of the following:

_____ I am applying for a Part A Minor Project Review. \$150.00 review fee is attached.

_____ I am applying for a Part B Minor Project Review. \$75.00 fee is required.

The Association Manager will enter your information on the Architectural Review site and you will be notified by email as to how to log in and upload the documents for review.

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. All ARC notifications will be issued digitally.

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

Shaded Areas To Be Completed By BOWHOA Only			
\$ _____ ARC Fees Part A or B	Check #: _____	Date: _____	Paid By:
BOWHOA Fees Current?	<input type="checkbox"/> YES <input type="checkbox"/> NO		
Application Received By: _____			Date: _____