

GUIDELINES
For The
ARCHITECTURAL REVIEW COMMITTEE
Of
Harbour Landing POA, Inc.

1. PURPOSE OF THE GUIDELINES

The Architectural Review Committee (ARC), which is appointed by the Board of Directors of the Harbour Landing Property Owners Association (POA), Inc. and is charged with the responsibility of approving, in writing, all plans and specifications for improvements exceeding \$1,000.00 to all lots, existing structures, and landscaping within Harbour Landing's community.

This approval process is for the purpose of maintaining or enhancing existing property values, by seeking to assure compatibility and conformity within the Harbour Landing community. It is the intention of these guidelines to set forth desired design parameters which will assist property owners, architects, contractors and other professionals with planning property improvements within the Harbour Landing community which will assure the purpose set forth above. These guidelines may be changed, deleted or added to after the proposed revisions have been submitted in writing to the Board of Directors and approved by a two-thirds (2/3) vote.

2. REVIEW PROCESS AND REQUIREMENTS

A. For New Home Construction or Existing Home Replacement, Structural Alterations and Additions:

The General Contractor and Owner must submit to the ARC a completed Application Form with the required plans, drawings, square footages, samples, and other information as requested, along with the **ARC Review Fee, Road Impact Fee** (if applicable), and an **Owner's/ Contractor's Repair and Maintenance Deposit**. Check(s) for the fees and deposits are to be made payable to Harbour Landing POA, Inc.

The ARC shall act upon all applications and shall communicate its decision to the applicant within 15 business days for new construction and 10 business days for all other changes, after the Owner's filing, unless extended by written mutual agreement. The failure of the ARC to act within these periods shall be considered as an approval of the application. All decisions of the ARC shall be in writing and shall be made by a majority of the committee members. An application form is available from the Appointees of the ARC and on the POA website. An Application is filed when received by every ARC Appointee.

B. For Existing Homes - Exterior Alterations, Partial Replacements and Other Improvements including, But Not Limited To, Siding/Paint Colors, Walls, Fences, Docks, Sheds, Ornamentation and Changes In Landscaping:

Prior to any change of \$1,000 or greater, Lot owners are required to submit to the ARC a written request/application complete with scale drawings and/or photographs detailing the changes they would like to make along with the **ARC Review Fee, Road Impact Fee** (if applicable), and an **Owner's/ Contractor's Repair and Maintenance Deposit**. Check(s) for the fees and deposits are to be made payable to Harbour Landing POA, Inc.

Applications for fences, walls, patios, and unattached structures must include a plot plan showing property boundary lines, setbacks, proposed locations and existing structures, as well as, hard impermeable surfaces.

The ARC shall act upon applications and shall communicate its decisions to the applicant within 10 business days after filing unless extended by written agreement. The failure of the ARC to act within these periods shall be considered as an approval of the application. All decisions of the ARC shall be in writing and shall be made by a majority of the committee members. An application form is available from the Appointees of the ARC and on the POA website. . An Application is filed when received by every ARC Appointee.

C. Road Impact Fee & Owner/Contractor's Repair and Maintenance Deposit for New Home Construction or Replacement, Structural Alterations and Additions:

Fees and Deposits are required for all new home construction or replacement, structural alterations and additions and on existing homes for exterior alterations, partial replacements and other improvements equal to or greater than \$1,000.

The Owner/Contractor's Repair and Maintenance Deposit is for maintenance, repair and clean-up costs, and adjacent roadway repair cost that may be incurred by the POA/ARC created by the project. This deposit also can be utilized to cover any Fines that may be assessed by the Board of Directors, for contractors and their employees and subcontractors not following the POA rules and requirements. This deposit does not relieve the Owner(s)/Contractor(s) from their obligations for additional clean up, repair and maintenance needed, at the discretion of the POA. The Contractor's Repair and Maintenance Deposits required to help insure satisfactory completion of Owner/Contractor obligations and is non-interest bearing and refundable upon satisfactory completion of these obligations.

For Additions, Structural Alterations and Partial Replacement, and Exterior Changes, the required deposit is the lessor of 2% of the estimated project cost, but not less than \$250, or \$3,000.

For New Home Construction or Replacement, the required deposit is \$6,000.

In order for the deposit to be refunded, the POA/ARC requires a completed **REQUEST FOR ARC FINAL INSPECTION AND DEPOSIT REFUND Form** prior to final inspection and deposit return, by the depositor of record, upon completion of any project and before occupancy of new construction. New construction is considered complete upon the date the Certificate of Occupancy is issued. Failure to request an ARC final inspection before occupancy of new construction can result in fines or forfeiture of the deposit.

The Road Impact Fee is for the extraordinary wear & tear on the roads, streets and lanes within the Harbour Landing Community during a Construction/Alteration Project. Payment of the Road Impact Fee includes, from the ARC, a Restricted Use Permit for Vehicles that exceed the posted Road Weight Limit.

For Additions, Structural Alterations and Partial Replacement, and Exterior Changes, the required Road Impact Fee, where applicable, is \$75 minimum. Restricted Use Permit will be valid for 90-Days.

For New Home Construction or Replacement the Road Impact Fee, where applicable, is \$600. Restricted Use Permit will be valid for 1-Year.

The ARC may charge an Application Review Fee.

D. Contractors Rules of Conduct:

The contractor's rules of conduct that are to be adhered to while completing improvements on all lots in the Harbour Landing Community are available as a separate document. These rules apply to the **General Contractor**, their **subcontractors**, **suppliers** and the **lot owner(s)** (when acting as the contractor and/or subcontractor) if applicable.

While the Harbour Landing Board of Directors, as well as, the ARC would appreciate and expect the full cooperation of all contractors and suppliers, compliance with Contractor's Rules of Conduct will be monitored. Any infractions will be reported to the appropriate authorities and/or fines imposed as authorized by the Covenants of the Property Owners Association.

E. Changes or Deviations to Approved Projects:

Any exterior changes that deviate from the original approved plan require approval from the ARC prior to implementing. Failure to do so may result in the levy of a fine.

Major Changes, i.e. additions of rooms, porches, garages, sheds, new structures, pools, project location on lot, etc. require the submission of Request for Change to Approved Projects form providing details of the changes and may require a cessation of construction while ARC reviews the request of changes and its impact on the initially approved project.

Minor Changes, i.e. changes in material or color, style, additional tree removal etc. require written notification, with material or color samples if available, to the ARC for approval.

A Request for Change to Approved Projects form is available from the Appointees of the ARC and on the POA website.

3. GUIDELINES

A. Buildings

1. Approval will be in accordance with all applicable building codes and zoning ordinances.
2. Approval will be in accordance with the Declaration of Restrictions and Protective Covenants and By-Laws for Harbour Landing POA, Inc. and conform to all building restriction lines as set forth on the recorded plat of survey.
3. Roofs: Hip and gable roofs are the preferred types. Mixing incompatible styles is discouraged. Small portions of flat roofs will be allowed on connection elements and breezeways. Dormers are encouraged to avoid large single roof expanses. High profile tile, metal or architectural shingles are suggested. Roof pitches generally shall not be less than 6:12, or more than 12:12.

Solar panels may only be installed on the back roof of the house and shall not be visible above the roof ridge line or from the street.

4. Windows and Doors: Windows shall be double or single hung. True divided mullions are preferred, but grills are acceptable. Casement and awning windows are also acceptable. The use of reflective tinting or mirror finishes on windows & doors is prohibited.
5. Exterior Finish: Exterior finish should be predominantly wood, brick/stone or vinyl, concrete plank or a combination of the same. If wood is used; shiplap, beaded siding, or other horizontal appearances are required. Plywood, except as a minor accent, is not permitted. Board and batten are also acceptable. Pre-finished fiberboard and vinyl siding shall be allowed when profiles resemble traditional wood lap siding. Brick/stone should appear on the façade of wood houses as a foundation material or as accent walls.
6. Garages: Parking for two (2) cars minimum dimension twenty feet by twenty feet (20' x 20') unencumbered area.
7. Porches: The underside of the porch must be enclosed with materials that are compatible with the foundation of the house.
8. Gutters: Gutters shall match the fascia trim color or be copper. Downspouts shall be placed where less visible from the streets and should match the exterior wall trim, fascia trim or be copper.

B. Site Development, Maintenance and Use Restrictions

1. All drives, patios on grade, walks and turn around areas shall be paved with cement concrete, exposed aggregate, or brick pavers. A combination of brick-pavers with gravel is permissible with ARC approval. No asphalt is permitted. All drives must be paved to the edge of the roadway.
2. The paint, coating, stain and other exterior finishing colors on all buildings and exterior surfaces to include, but not limited to, roofs, fences, walls, driveways, patios and walkways, may be maintained as that originally installed, without prior approval of the ARC, but prior approval by the ARC shall be necessary before any such exterior finishing color change is needed.
3. All garbage/trash containers shall be stored within the residence of each Owner or in storage facilities provided for said residence at the time of construction on the Owner's lot. All dumpsters and trash containers must be placed on the Owner's lot only, as far back from the road (street) as possible, away from adjacent Homes as possible, and not on any common areas or road (street) right-of-way. No Owner may change or supplement the garbage/trash storage facilities provided unless the ARC shall first approve, in writing, the change or addition to the method of storage.
4. No mercury vapor, LED or similar high-intensity, commercial or industrial-type lighting, whether free-standing or attached, shall be permitted on any Lot. Only residential-type accent lighting and flood lamps on motion sensor and shut off timer shall be allowed.
5. All lots shall be so graded as to maintain drainage within their own property lines. Surface water drainage may not be changed to divert water onto adjoining lots or street. All existing drainage paths must be maintained or re-located inside the property.
6. No fences, docks, gazebos or other structure of any kind may be located on any Lot without prior written permission of the ARC. Said permission may not be unreasonably withheld as long as all requirements of the ARC are satisfied. No fence over six (6) feet in height from natural ground level shall be allowed. On any corner Lot, not wall, fence, or other structure(s) shall be erected or altered and no hedge, tree, shrub or other growth shall be permitted which may obscure the view of drivers using the roadway. Chain link fences are not permitted. All fences shall be properly maintained by the Owner.
7. No structure of a temporary nature including, but not limited to, tents, canopies, inflatables, storage pods and roll-off dumpsters, shall be erected or allowed to remain on any Lot unless and until permission for the same has been granted by the ARC.

8. Stand-alone garden sheds, storage sheds and/or other enclosures are prohibited unless constructed with the same style construction of the home built on the lot and approved by the ARC. No stand-alone structures of any kind may be built on a vacant Lot without permission of the ARC and the Board of Directors.
9. Trees of less than twelve (12) inches in diameter at the base, approximately 1 foot above natural ground level, may be removed without approval of the ARC. Trees that interfere with construction of improvements are diseased or dead, or present a hazard to persons or property may also be removed without approval of the ARC.
10. All non-portable, above-ground propane tanks of 125 gallons or less are required to be screened from view of the public street adjacent to the front yard, (front and side yards for corner Lots) with landscaping or fencing material compatible with the house. All screening must receive prior written approval from the ARC. All larger propane tanks must be buried.
11. All irrigation pumps and plumbing are required to be screened from view of the public street adjacent to the front yard, (front and side yards for corner Lots) with landscaping or fencing material compatible with the house. All screening must receive prior written approval from the ARC.
12. All HVAC units are required to be screened from view of the public street adjacent to the front yard, (front and side yards for corner Lots) with landscaping or fencing material compatible with the house. All screening must receive prior written approval from the ARC.
13. Window-mounted and through-the-wall air conditioning and/or heating units are prohibited in the front and sides of the home. Through-the-wall air conditioning and/or heating units may be permitted in the rear of the house upon written approval from the ARC.
14. Sports equipment may be placed in rear yards at owner's discretion. Requests for placement of sports equipment, including but not limited to, basketball hoops, outdoor gyms, swing sets, or trampolines, must be submitted to the ARC for written approval prior to location in the front or side yard. When the equipment is no longer in use or falls into disrepair, so as to diminish the appearance of the Lot and Harbour Landing community, it shall be removed by the Owner.
15. Outdoor Drying: Except within areas screened with sufficient height, outside clothes lines or other outside facilities for drying or airing clothes are specifically prohibited. No clothing, rugs, or other items are permitted to be hung on any railing, fence, hedge, or wall.

C. Landscaping and Ornamentation

1. Landscaping: With the exception of those areas of the front yard surfaced with approved walkways and driveways, the remaining area, excluding wooded areas, of the front yard landscape and the street side yard on corner lots shall be covered with mature sod. No portions of any developed Lot shall be allowed to grow wild or lack some form of ground cover. Landscaping must be fully installed within sixty (60) days of the issuance of final approval by the Sunset Beach Building Inspector, unless a waiver is granted by the ARC for extenuating circumstances. All landscaping shall be maintained in a healthy and attractive manner and must meet Sunset Beach code.

2. Ornamentation: Statues, figurines, silhouettes, fountains or ornamental objects exceeding 36" in height shall not be erected or placed on any Lot without prior approval of the ARC. No more than five (5) such objects, less than 36 inches in height, are permitted to be displayed as part of the front landscaping of any Lot.

4. PROCEDURE BEFORE THE ARC

All applications for the review of plans or for changes as provided in these Guidelines shall be submitted in writing. A fee schedule, where applicable, for all proceedings before the ARC shall be adopted by the Board of Directors. The ARC shall act upon all complete applications accompanied by the required supporting documents and deposit and shall communicate its decision to the applicant within 15 business days for new construction and replacement and 10 business days for all other changes after filing the application unless extended by written agreement. The failure of the ARC to act within these periods shall be considered as an approval of the application.

5. APPEALS FROM THE ARC

Any Owner aggrieved by a decision of the ARC may appeal the decision to the Board of Directors. Such appeals shall be filed within thirty (30) days of the date of communication of the decision in such form as the Directors may prescribe and shall include all grounds for the appeal. After review of the appeal, a majority of the Directors must affirm, reverse, modify or amend the decision of the ARC, attaching such reasonable conditions as it deems necessary and proper under the circumstances. All appeals to the Board of Directors shall be acted upon and communicated to the appellant within twenty (20) business days from the date of receipt of the appeal. The decision of the Board of Directors shall be final.

HARBOUR LANDING PROPERTY OWNERS ASSOCIATION, INC
ARCHITECTURAL REVIEW COMMITTEE
OWNER/CONTRACTOR
“FINE SCHEDULE”

VIOLATION	MINIMUM FINE PER INCIDENT	DESCRIPTION/DETAILS
Parking/Road Use	\$20.00 per incident per vehicle	Contractors will be notified, upon project approval, of the parking requirements. Owners will be provided one (1) written warning prior to fine.
New Construction: Project Start without ARC Approval	\$5,000.00	Any contractor or owner starting a project without prior ARC approval, i.e. clearing lot of trees twelve inches in diameter or larger, or construction start before project approval.
New Construction: Failure to Request ARC Final Inspection before Occupancy	\$100 per incident per day	An Owner moving in and occupying the home prior to final ARC inspection
Other Than New Construction: Project Start without ARC Approval	The lesser of \$100 per incident per day or the Forfeiture of the Required Project Deposit	Any contractor or owner starting a project without prior ARC approval, i.e. additions, structural alterations and partial replacement, exterior changes and/or landscaping projects
Construction Completion Timetable	\$1,000	Failure to complete any project within one (1) year of obtaining project approval from the ARC. Only exception requires a written extension from the ARC setting the extended construction period.
Failure to Respond	\$50.00	Failure to respond within 20 days to POA/ARC correspondence.
Failure to Repair Damage Within Required Period	\$100 per incident per day	Failure to repair damage within specified period to neighboring lots, parkway median, roadway surfaces/edges/frontage Owners will be provided one (1) written warning prior to fine.
Worker Misconduct, Littered Site, Working Unauthorized Hours	\$100 per incident per day	Contractors will be notified, upon project approval, of the Contractors Code of Conduct requirements. Owners will be provided one (1) written warning prior to fine.
Tree Removal	\$500.00 per tree	The removal from any property, without prior approval, healthy trees measuring twelve (12) or more inches in diameter.
Other Violations of POA/ARC Rules	Applied Based on Severity of Violation as Determined by the POA & ARC	This includes any other violation of POA/ARC guidelines and construction project requirements and rules