

WATERWAY COVE HOMEOWNERS ASSOCIATION

GUIDELINES AND STANDARDS

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Welcome to the community of Waterway Cove homeowners!

This document includes information for you on architectural and landscape changes to your property and general guidelines and standards.

1 INTRODUCTION

The initial version of the Architecture Review Guidelines and Use Standards (the Guidelines) was ratified and accepted by the Waterway Cove Board of Directors on November 20, 2019. Each year, the Architectural Review Committee (ARC) reviews the Guidelines and makes additions and/or revisions as needed. The revised Guidelines are presented to the Board for acceptance. The latest copy of the Guidelines is available on the community website maintained by the HOA management company. (<https://camoib.cincwebaxis.com>.)

1.1 PURPOSE

The Waterway Cove community is governed by several legal documents and is managed by a Homeowners association. These documents include:

- The Articles of Incorporation
- Bylaws
- The Declaration of Covenants, Conditions, and Restrictions

These and other key documents can be found on the Waterway Cove Homeowners Association (WCHOA) section of the Community Associations Management at OIB (the management company) website <https://camoib.cincwebaxis.com>. Pictures of the login and welcome pages of the website are shown in Appendix B.

The Articles of Incorporation of the WCHOA state that the purpose of the Association is to:

- Provide for the management, maintenance, preservation, administration and operation of the planned community
- Promote the health, safety, and welfare of the Homeowners
- Engage in any and all lawful activities incidental to the foregoing purposes

The Articles of Incorporation establishes a Board of Directors (the Board or BoD) to manage the affairs of the Association. The Board is authorized to establish officers and committees to assist with fulfilling the purposes of the WCHOA. The activities of the Board, officers, and committees

are governed by the AMENDED AND RESTATED DECLARATION OF PROTECTIVE COVENANTS, RESTRICTIONS, EASEMENTS, CHARGES, AND LIENS FOR WATERWAY COVENANTS. The Covenants exist to maintain the beautiful, coastal-cottage, park-like theme of Waterway Cove and thereby preserve, protect, and maintain the overall value of our community and each Homeowner's investment in it. The Covenants call for the creation of an Architectural Review Committee (ARC) and the publication of Architectural Review Guidelines as one of the governing documents. The ARC is a standing committee appointed by the Board of Directors.

1.2 SCOPE

The "Waterway Cove Homeowner Guidelines and Standards" (the Guidelines) define and clarify the requirements for exterior architecture and landscape changes and general use of the properties within the Waterway Cove community. The Guidelines augment the Covenants and assist Homeowners in complying with the Covenants.

The management of common areas, parking, and infrastructure within the community are outside the scope of the ARC and Landscape Committee (LC). The Board is responsible for overseeing ARC and LC activities and directly for all areas within this document not specifically assigned to ARC or LC. The Board may create other committees and/or subcommittees at its discretion.

1.3 AUTHORITY

The Covenants provide the legal basis and foundation for this document. Article IV of the Covenants defines the composition, scope, and authority of the ARC.

The Landscape Committee is a standing committee appointed by the Board.

1.4 RESPONSIBILITIES

1.4.1 Homeowners

All Waterway Cove Homeowners are expected to comply with all requirements in the Covenants and this document and related decisions made by the Board of Directors. Homeowners are responsible for maintenance and upkeep of their house and property.

Homeowners can report incidents of non-compliance with the Covenants and Guidelines to the WCHOA using the process described in Section 4.1 of this document.

Homeowners who rent/lease their homes are responsible for providing their renters with a copy of the Waterway Cove Homeowner Guidelines and Standards.

When considering any exterior architectural and/or landscaping changes, Homeowners must complete and submit an “Architectural and Landscape Change Request” to the property management company in accordance with the process described in Section 2 of this document. No changes to Homeowner property may be made until the Request for Architectural and Landscape Approval has been approved. The ARC and LC have up to 45 days to act on a request once submitted.

1.4.2 Architectural Review Committee and Landscape Committee

The Architectural Review Committee (ARC) and Landscape Committee (LC) are appointed by the Board of Directors to administer the Architecture and Landscape Review Guidelines and Standards.

The ARC is composed of three (3) to five (5) members, but always an odd number of members. The ARC consists of at least one Board member. The members of the ARC are appointed by the Board of Directors. The term of ARC membership is indefinite, except for the Board member who is subject to re-appointment. At its discretion, the Board of Directors may dismiss any ARC member.

The ARC and LC share the objective to preserve a community that is aesthetically pleasing and functionally convenient by maintaining a harmonious relationship among structures, landscaping, topography, and the overall coastal-cottage design theme of the community. Most importantly, all ARC and LC decisions strive to maintain, protect, and enhance the value of all of the homes and property within Waterway Cove.

The ARC is responsible for the following:

- Formulate, publish, and maintain the Architectural and Landscape Review Guidelines and Standards
- Administer the Guidelines for existing homes and work with Homeowners to prevent and to correct violations
- Review, approve, or reject all Requests for Architectural Change applications and assist Homeowners with questions regarding the application process
- Record their decision within forty-five (45) calendar days of the committee’s receipt of a completed application
- Reserve the right to inspect completed projects for conformance to the approved plan
- A separate sub-committee of the ARC appointed by the BOD has the responsibility to review, approve, or reject new construction on lots ensuring that new construction

conforms to the Guidelines and is consistent with the craftsman/cottage-inspired architectural style

The Landscape Committee is composed of at least six (6) to eleven (11) members. An odd number of members is preferred. Members serve three (3) years. The primary function of the Waterway Cove Landscape Committee is to preserve, promote, and enhance the aesthetic appeal of the grounds and landscaping that comprise the Common Areas owned and maintained by the Homeowners Association in accordance with the Declaration of Covenants, Conditions, and Restrictions for Waterway Cove.

The Landscape Committee is responsible for the following:

- Plan and direct the landscape design of the community
- Manage the common area landscaping and facilitate the WCHOA's landscape contract
- Manage the community irrigation system and oversee irrigation system maintenance contractors
- Maintain the community ponds and fountains
- Review, approve, or reject landscape changes to existing lots and ensure that new home landscaping conforms to the Guidelines, and are consistent with the community landscape design
- Assist Homeowners with design issues and the selection of plant material
- Formulate and maintain the landscape portions of the Guidelines
- Administer the Guidelines for existing homes and work with Homeowners to correct violations

1.4.3 Board of Directors

The Board of Directors is responsible for:

- Appointing members of the ARC
- Hearing any appeals of ARC and LC decisions and actions
- Making decisions about violations, penalties, and any pursuit of legal remedies concerning WWC Homeowners' Guidelines and Standards
- Acceptance of the Architectural and Landscape Review Guidelines and Standards
- Providing final interpretation of the Covenants and the WWC Homeowners' Guidelines and Standards

2 ARCHITECTURAL REVIEW GUIDELINES

Article IV (Architectural Standards and Control) of the Covenants establishes the authority and scope of control of the ARC. Section 2 of the Covenants states "the ARC shall have exclusive jurisdiction over all construction on or alteration of the lots". Section 2 further states that the

ARC shall publish Architectural Review Guidelines covering a broad set of topics. This section of the “Architectural Review Guidelines and Standards” provides specific guides, standards, and use restrictions to supplement those contained in Article II of the Covenants.

Homeowners are reminded that they are responsible for securing all required Ocean Isle Beach, County and State permits prior to the start of a project. Homeowners must also comply with all Federal, State, and Brunswick County building codes and regulations. Homeowners are expected to comply with the requirements of this document and any approval received from the ARC. Failure to do so may result in statutory fines or liens as well as modification expenses.

To avoid confusion or problems, all Homeowners or builders should submit an application even if they are unsure as to whether a change requires ARC or LC approval.

2.1 Additions to Existing Structures

Additions to existing structures require ARC approval. Examples include fully enclosing a porch, expanding a garage, enclosing an outdoor shower, adding or changing a sidewalk, or adding a room to the house. The Homeowner must get ARC approval and then apply for any necessary building permits and confirm that permits have been obtained. An application for an addition should include the following information:

- a. A complete set of construction plans and specifications, including a front, one-side, and rear elevation
- b. Type of construction materials
- c. Color of the addition
- d. A current survey of property Note: A new survey may be required after completion

All additions must meet the review criteria listed under 4.3 on page 22.

2.2 Color Changes

Any exterior color change to existing structures requires ARC approval. A sample of the current and proposed color must accompany the application.

Approval is not required if the existing/current paint color is being used for the project.

2.3 Decks

Deck construction requires ARC approval. Like other structures, decks should be designed and constructed for aesthetic and architectural compatibility with the existing structures and surroundings. All decks must adhere to the following Standards:

2.3.1 Materials

All exposed wood should be:

- 1) Pressure treated pine or fir
- 2) Spruce
- 3) Redwood
- 4) Cedar
- 5) Cypress
- 6) Engineered/composite wood decking materials

The color of natural, painted, or stained decks should be compatible with existing structures.

2.3.2 Height

The deck height must be aesthetically compatible with existing structures and all-natural surroundings. Decks higher than the first floor will be discouraged, unless they are compatible with the architectural design and theme of the house and its setting.

2.3.3 Location

Decks should be located at the rear of the house, but they may extend around a rear corner toward the front of a house to a distance that is no more than one third (1/3) the width of the side of the house. The deck must be securely attached to the house.

An application for a deck should include the following information:

- Location of the deck on the lot and in relation to the home and any other structures
- Impact on existing vegetation in the area, especially trees
- A plan or sketch of the structure from two different views
- Type of construction materials
- Color of the structure, if painted or stained

2.4 Deck and Porch Enclosures

The Homeowner must submit an application to the ARC for all proposed deck and porch enclosures. The enclosure should be designed and constructed for architectural and aesthetic compatibility and harmony. An application for enclosing a deck or porch must include the following information:

- A plan or sketch of the structure from two different views

- Type of construction
- Color of the structure, if painted or stained

A deck or porch enclosure may require a County or Town building permit. Confirmation of obtaining any required permits must be included with the ARC request.

2.5 Exterior Decorations

The Covenants state “exterior sculpture, fountains, gazebos, arboretums, flag poles and similar items are subject to prior approval by the ARC.” Seasonal yard decorations, e.g. national holidays, religious holidays, New Year’s Day, and Halloween, may be temporarily placed upon the yard during the particular season, but must be removed within one month after the appropriate holiday has passed.

An application for permanent yard decorations should include a drawing or sketch of the item(s). Where possible, a manufacturer’s drawing or picture of the item(s) should be included with the application. The application should also show the planned location of the item(s) on the lot.

2.6 Fences, Privacy Panels and Perimeter Walls

ARC approval is required for fences, including invisible fences, used to enclose a yard or privacy panels used to screen short sections of a Lot. Fences and privacy panels must adhere to the following standards:

- Fences and privacy panels must be placed on the Homeowner’s Lot and not on the Common Property
- The structure must not extend beyond one third (1/3) of the length of the longer side of the house, from the back of the house to the front porch, of a Homeowner’s house. Fences and panels cannot be placed between the front porch of a house and the sidewalk
- The maximum height allowed for fences is four (4) feet from ground level to the highest point of the fencing
- Fences must be picket style and constructed of powder-coated aluminum with a black finish
- The top rail of the fence must be flat and smooth with no pickets extending above the top rail
- Privacy or screening panels will only be approved where there is a justifiable reason. For example, to screen a street from a home or to provide privacy screening for an adjacent porch or deck
- Privacy or screening panels must not exceed a height of six (6) feet
- Freestanding panels placed in a yard must be made of white vinyl

- The finished side of a privacy or screening panel must face out toward adjoining property and streets
- If a privacy or screening panel is an extension to an existing structure, it should consist of materials and colors that match or closely complement the existing structure
- Before installing any fence, please contact the LC to ensure no damage is made to the underground irrigation system

An application for a fence or panel should include the following information:

- A plat, map, or drawing that shows the location of the fence or wall on the lot and in relation to the home and all existing structures, including driveways and/or patios
- Impact on existing vegetation in the area, especially trees
- The style of the fence
- Height specifications
- Construction materials and details
- Type and color of surface treatment

Fences and panels constructed by a Homeowner must be properly maintained and kept in good condition. Maintenance to these structures does not require ARC approval.

Fencing and panels installed in a yard may have a negative impact on the ability of the WCHOA landscape service to perform yard maintenance. Homeowners should be aware that Article X Section 2 of the Covenants allows that the ARC may condition the approval with the ceding of the obligation to maintain landscaping inside a fenced in area.

Homeowners are reminded to use extreme caution when digging in their yards since all of the utilities and irrigation systems throughout the Waterway Cove community are located underground. The ARC strongly recommends that Homeowners contact the Utilities Location Service (800.623.4949) to locate the utilities in your yard before you begin digging.

Requests to construct a wall or fence on the perimeter boundary of Waterway Cove property must be made to the BoD.

2.7 Generators

The addition of a permanently installed home backup generator requires an approved Architectural and Landscape Change Request. Permanently installed generators must comply with lot setback restrictions and be installed within the available impervious surface. Generators must be screened from view from the street and adjacent lots. Landscape screening, approved by the Landscape Committee, is preferable. One additional gas tank is

allowed with the installation of a whole home generator. There can be no more than a total of two 120 gallon gas tanks (maximum) allowed on an individual lot.

2.8 Handicap Access

Additions or changes to provide handicap access to homes, such as ramps, lifts, and elevators, are allowed. ARC approval is required.

2.9 Handrails/Porch Railings, Gates and Underpinnings

Replacement or addition of existing handrails on the front or back steps of the home, using the exact same material, color, and design, does not require ARC approval. Paint color of handrails, underpinnings, porch railings and gates must be the same shade of white as the trim of the house. If any new railing or changes to the existing railing is being installed or a gate is being added to railings, approval from the ARC is required. All gates must be the same material and color as the adjacent railings, including free-standing gates or barriers.

2.10 House Numbers

Numbers should be placed on the front steps for houses facing the street. For those houses not facing the street, numbers should be placed above the garage door. The numbers should be 4 inches in height and consistent with the colors and style in the community.

2.11 Hurricane Shutters and Window Shutters

Installation of hurricane shutters requires approval from the ARC. This includes but not limited to the metal roll down shutters and the corrugated panels installed with clips on the windows. These shutters should be put up no sooner than one week prior to the storm and must be removed within 7 days following the storm.

Adding window shutters to the front elevation of an existing home requires ARC approval. Shutter additions must comply with the following:

- Shutters must be the length of the adjacent window
- Shutter color must be the same as the front door
- Shutters must be mounted on the house siding, not on the window trim
- Bermuda/Bahama shutters are not allowed

2.12 Lighting

Yard and street security type lights (ex., exterior post lights) mounted on poles or other structures are prohibited. Security lighting that is mounted on a house/garage is allowed, but diligent care must be taken to ensure that the lights are not directed toward streets or adjacent properties. Decorative yard and landscape lighting and low-voltage lamp yard systems are allowed but must be located within pine straw beds to allow for landscape/yard maintenance from the landscape contractor.

Changes made to outdoor lighting attached to house and/or garage require approval from the ARC before being replaced.

2.13 Maintenance and Repairs

Homeowners, not the Homeowners Association, are responsible for maintenance and repairs to existing structures, additions, and improvements to those structures. Homeowners are responsible for maintaining roofs, painting houses and porch gates when needed, repairing and painting peeling trim, removal of mold/mildew/algae and repairing gutters or downspouts. ARC approval is not needed for repair or maintenance to restore a structure to its original approved condition. Maintenance and repairs that will change the appearance of an existing structure are subject to prior approval.

2.14 Patios and Outdoor Fireplaces

A patio is considered to be any ground level non-earthen structure that provides outdoor living space. This includes fire pits, fireplaces, and outdoor kitchens. They are usually constructed of concrete, brick, field stone or decay resistant wood materials. Construction of a patio requires ARC approval. An application for a patio should provide:

- details about the type of materials to be used
- its location
- its size
- changes to landscaping
- changes to the amount of impervious surface on the lot

2.15 Play Equipment

All permanent outdoor play equipment and structures, including basketball backboards, and other game accessories located on a Lot are subject to prior approval of the ARC. Permanent play equipment must adhere to the following Standards:

- An application for play equipment should include its location on the lot and a drawing or picture of the equipment
- Play equipment must be located behind the house and at least ten (10) feet from neighboring property lines
- Basketball goals must be located adjacent to paved areas
- Basketball playing area must be paved
- A stationary basketball goal post must be securely located to withstand normal use without tilting or falling
- Basketball goals are not allowed on the curb areas of the street or any other Common Open Space

2.16 Solar Collectors

The construction of solar energy collector panels and attendant hardware requires ARC approval. An application for solar collectors should include detailed plans and specifications. If a commercial product is to be installed, the manufacturer's specifications and promotional literature or photographs of similar installations should be provided with the application. A solar collector installation must also meet all Town and County requirements.

2.17 Storage Buildings and Other Free-standing Structures

Following Article II, section 11, of the Covenants, storage buildings and other free-standing structures are not allowed.

2.18 Storm Doors

Storm doors should be full glass/screen without etchings and should be the color of the trim around the front door or the color of the door. Installation of storm doors require approval from the ARC.

2.19 Swimming Pools

Above ground swimming pools are prohibited. In-ground swimming pools require approval from the ARC. In-ground swimming pools may only be installed in rear yard areas. Swimming pools cannot be installed within the formal set back /buffer areas of the lot. In-ground pools must be completely enclosed in child-proof fence. Homeowners, not the Waterway Cove Homeowners Association, are fully and exclusively liable for any accident involving their swimming pools.

An application for an in-ground swimming pool should include the following information:

- Location of the pool on the Lot
- Impact on existing vegetation in the area, especially trees
- A plan detailing the size of the pool and surrounding patio, the type of construction materials and the specifications and location of filtering/heating systems to be used
- A plan for enclosing the pool area that is in compliance with the architectural standards for fences and local ordinances, if any

2.20 Trash and Trash Receptacles

Lots must be kept free of rubbish, trash, and yard waste. Each Homeowner will provide receptacles for trash which must be stored in a place that is not visible from any street. A Request for Architectural and Landscape Change Approval is required for screened or fenced trash receptacle storage areas. Trash containers, recycling containers, and yard waste can be

placed at the curb no earlier than the day before the scheduled pick-up and must be removed the day of the pick-up.

2.21 Trellises/Arches/Pergolas

The addition of any trellises, arches or pergolas that are permanent or attached to a structure requires an approved Architectural and Landscape Change Request. If you have any question if approval is needed, please go ahead and submit a request.

3 Landscape Committee Guidelines

3.1 Hedges and Screen Plantings

Planting in hedge or row form must be approved by the Landscape Committee. Planting in hedge or row form must adhere to Architectural Standards - *Fence and Panels Standard*.

3.2 Landscaping

A Request for Architecture and Landscape Approval involving landscaping or irrigation system requires Landscape Committee approval. This may include the following items:

- Groundcover/Mulch/Cloth Weed Barriers
 - The WCHOA approved mulch effective 2020 is pine straw. Adding pine straw mulch does not require LC approval
 - Bark mulch may be used around plant material then covered with pine straw
 - Other types of mulch/ground cover including white rock or shells are not permitted in front and side yards
 - A cloth weed barrier must meet these requirements (from CNCGS 143-214.7(b2) Built Upon Area: Geotextile Fabric means a permeable geosynthetic comprised solely of non-biodegradable textiles. [15ANCAC 2H.1002(19)])
- Landscape Edging of Plant Beds requires LC approval
 - Materials shall be concrete, natural stone, aluminum or steel edging
 - Edging layout shall be uniform appearance and installed in a pleasing form
 - Edging should be no higher than 4 inches above ground
 - Plastic edging is not allowed
 - Homeowners are responsible for the repair of irrigation and drip lines that are damaged during the installation of edging
- Plant and Irrigation Layout
 - Homeowners should contact the Utilities Location Services at 800-623-4949 to locate public utilities in their yard before digging

- Homeowners are responsible for repair and replacement of any damaged existing irrigation and drip lines when making changes to their lots. They are also responsible for any damages caused by their vendor
- Plant materials to be used in the landscape change

- Trees and shrubs to be removed in the landscape change

Proposed landscape changes shall be in esthetic keeping of the established WCHOA community plant material and mulch. The Landscape Committee shall base their review on plant variety, scale or size of mature plant, sun exposure or shade, color and installation time of year.

Suggested recommendations include:

- A balance of evergreen and deciduous plants for year-round interest
- The Installation and removal of plant material are compatible with neighbors
- Trees located along a street shall be consistent with established planting patterns and varieties
- Plant selection should consider “the right plant in the right place” concept

Any change in exterior appearance to the landscaping of a Homeowner’s lot requires LC approval. The following criteria should be followed when designing landscape changes.

- Annuals and Perennials
 - Planting Annuals and Perennials is permitted without LC approval. Pre-emergent herbicide and weed control measures are used on plant beds by the WCHOA landscape contractor. Homeowners may plant Annuals and Perennials at their own risk
- Lawn/Sod
 - Homeowners may replace their sod with the same seed type or with Bermuda or Zoysia grass. All other lawn seeds shall require LC approval
- Annual Rye Lawn Seed
 - Annual grass for winter lawns is not allowed since it is not consistent with other dormant grasses within the community
- New Trees and Shrubs
 - Proposed plants must be adaptable for the Coastal Carolina region. Refer to North Carolina Cooperative Extension Brunswick County or NC State University for compatible plant lists
 - Plants must be spaced as per Nursery Standards. Typical spacing shall be $\frac{1}{2}$ - $\frac{3}{4}$ of the full mature width. Plants shall be placed with adequate distance from structures

- Invasive plants are prohibited
- Vines and Climbing Plants
 - The WCHOA landscape contractor is responsible for maintaining all fences located on the perimeter of our development. This includes keeping the fence free of vines. If a homeowner wishes to plant vines along the perimeter fence, they may do so on trellises
 - Vines and climbing plants are not allowed on the perimeter fence.

3.3 Lawn and Yard Maintenance

Homeowners are responsible for ensuring proper care of their yard and landscaping. The Landscape Service contractor mows lawns, fertilizes and sprays beds and lawns and does some pruning and trimming of bushes and trees. But, the homeowner is responsible for making sure beds are weeded and not overgrown.

Homeowners can request assistance and support with irrigation issues by submitting a Work Order through their account on the Management Company web site.

The WCHOA Landscape Service Contractor has the right of unobstructed access over and upon each lot at all reasonable times to perform landscape maintenance. The Homeowner shall not place any furniture or construct any Improvements on the Lot that will interfere with the WCHOA's maintenance obligations.

The WCHOA Landscape Service Contractor will pick up organic debris and yard waste 1 time per week. Yard waste must be placed in a biodegradable bag as designated in their contract.

A Homeowner may choose to Opt-out of the WCHOA Landscape Services by completing the Opt-Out Agreement form found on the Management Company website. There is no reduction of WCHOA annual dues if a Homeowner chooses to Opt-out of landscape services. There are two (2) Opt-out choices:

1. Opt-out of mowing and debris cleanup
2. Opt-out of pruning, cutting, and debris cleanup

Homeowners may not Opt-out of the fertilizer or herbicide services provided by the landscape service.

3.4 Tree and Large Shrub Removal and Maintenance

Large tree or shrub removal requires LC approval.

- Dead trees and shrubs must be removed at the Homeowner's expense
- Plant material may be removed and not replaced if the plants are too close together at the determination of the LC

- Trees that have been severely damaged in a storm can be removed without LC approval. It is the responsibility of the homeowner to remove the wood from the site.

Homeowners may remove a dead plant and replace it with the same type or variety of plant without LC approval. Homeowners should be aware of irrigation drip lines when removing and/or replacing shrubbery.

Diseased plants that are dying or have an untreatable condition must be removed by the homeowner immediately so as not to infect other plants in the community. The Homeowner may request the assistance of the Landscape Committee.

Pruning tree limbs that are touching or overhanging existing structures does not require LC approval. Tree limbs must be cut in four (4) foot lengths or shorter and placed by the nearest curb. Removing the tree with overhanging limbs does require LC approval.

Severe pruning of trees requires LC approval. Severe pruning includes removal of the main leader of the tree, topping a tree and removing multiple trunks. When pruning large trees consideration should be given to the time of year, tree species, esthetics, and general health of the plant.

3.5 Vegetable Gardens

Vegetable gardens are allowed with LC approval. Vegetable gardens in common areas require LC approval. Homeowners must abide by the Landscape Design Guidelines for Common Areas and submit a Common Area Use Request Application Form. All forms are on the WCHOA Management Company web site.

3.6 Adoption of Common Areas or Donation of Plant material to Common Areas

ADOPTION OF COMMON AREAS HAS BEEN PLACED ON HOLD UNTIL FURTHER NOTICE

Homeowners may adopt or donate plant materials to common areas based on the Landscape Design Guidelines for Common Areas. An Application form for Common Areas Use must be submitted and reviewed by the Landscape Committee and forwarded to the WCHOA Board for approval. Forms and Guidelines can be found on the Property Management Website.

4 ARCHITECTURAL & LANDSCAPE CHANGE REQUESTS

4.1 Submitting an Application

Homeowners must submit a "Request for Architectural & Landscape Approval" (Request) application for each proposed project that is subject to Architectural and Landscape Review Guidelines and Standards. Changes requiring approval are described in the Architectural and

Landscape Standards section of this document. Required applications must be made and approved prior to the start of work on the project.

An application is not required for maintenance projects; for example, repainting a home with the current color, or repairing gutters with the same material and color as existing gutters, or roof and exterior repairs and maintenance.

There are two forms and methods for submitting a Request:

- There is a PDF version of the Request form that can be downloaded, completed by hand, and mailed to the Property Management Company. Homeowners should inform a member of the ARC or LC if they decide to submit a paper version of the form. Homeowners should check with the Management Company to make certain that the Request has been properly received
- There is an online form on the Property Management website (<https://camoib.cincwebaxis.com>) that can be completed and submitted electronically to the Management Company

Homeowners are encouraged to use the online process available on the Management Company website (<https://camoib.cincwebaxis.com>) for submitting Requests.

A member of the ARC or LC will be happy to assist those Homeowners who do not have access to the website. Images of the Management Company web pages and instructions for accessing the forms can be found in Appendix B.

Homeowners must complete the Request according to the instructions provided in the process documentation. The application must include all pertinent details concerning the proposed change. If the request includes both architectural and landscape projects, please submit the complete plan to both committees. It is important for each committee to have the full plan in order to make an informed decision and coordinate each component.

Following are guidelines for the submission:

- The ARC and LC have up to 45 days to act on a request once submitted.. Work cannot begin until an approval in writing has been received
- All exterior modifications such as fences and expansions must include a plat (i.e., a map, survey) of the entire lot and the entire project
- A sketch or plan and all specifications must be submitted with the application

- All exceptions or variances to the Guidelines must be approved by the ARC, LC, or Board before the Request is submitted
- Approved exterior modifications may be reviewed when completed. Non-compliant projects must be brought into compliance with the approved application within 6 months or a project extension may be requested
- Changes may be subject to Brunswick County and Town of Ocean Isle Beach rules and requirements. Homeowners are responsible for making sure a project complies with such rules and requirements and obtaining required permits, etc. as well as reviewing the applicable Covenants before submitting an application
- The Homeowner will be notified if any extraordinary cost related to a request (ex., legal or engineering review) is anticipated by the WCHOA during the review process. The Homeowner will be notified before any such cost is incurred. If the request moves forward, the costs incurred would be the Homeowner's responsibility
- An approved Request for Architectural and Landscape Approval applications will remain active for six (6) months from the date of approval. A conditional approval will be provided until the ARC receives confirmation that all permits have been obtained. New home ARC approvals will remain active for one year from the date of the issuance of the building permit. Expired Requests must be resubmitted before the start of any work

Each application will be considered on its own merit using the criteria outlined in the "Review Criteria" section of this document. The ARC and/or LC will review the application and respond to the applicant in writing within forty-five (45) calendar days. Applications submitted without supporting documentation cannot be considered until all required materials are received.

Exterior modifications made to property without gaining approval, or changes made in violation of the Guidelines, are subject to the violation enforcement process discussed in Section 6, Architectural Review Guidelines and Use Standards Enforcement.

4.2 Application Review

Each Request for Architectural and Landscape Approval application will be reviewed by the ARC and/or LC within forty-five (45) calendar days of submission. With prior notification to the Homeowner, the committees may need to visit the site and talk with the applicant and neighbors. When the application has been fully considered, the ARC and/or LC will approve, conditionally approve, or disapprove the application. The vote necessary for a decision will be a simple majority of the total number of people currently serving on the respective committee. Conditional approval means that work may proceed provided that the conditions stipulated by

the ARC or LC on the application are met, either before or during the work as may be appropriate.

The Homeowner will be notified of the decision by the Management Company. In cases of conditional approval or disapproval, the applicant will be provided with additional detail about why the application was not approved as submitted. The decision may be appealed under the procedures described in the section titled “Appealing a Disapproved Plan” in this document.

The ARC and/or LC may review the project to ensure conformance with the approved plan and specifications. The Management Company will log all activity associated with the application review process and maintain all supporting documentation.

4.3 Review Criteria

The ARC and LC evaluate each application on its own individual merits. The ARC and LC decisions will be based on the following review criteria:

4.3.1 Validity of Concept

The goal is to preserve or maintain a unified and complementary total community. It is expected that all design elements, both site and building, will complement the project. Building design points such as shape, height, width, color, and texture should be in accord with the image of the entire development.

4.3.2 Protection of Neighborhood Interest

The interest of all neighbors must be protected by making provisions for such matters as: surface water drainage; sound and sight buffers; preservation of views; availability of light, air quality, and movement; and other aspects of design which may have a substantial effect on the neighboring property. For example, fences may obstruct views, breezes, or access to neighboring property. The ARC and LC will exercise objective and reasonable discretion in determining which of these criteria will govern in each specific application.

4.3.3 Design Compatibility for New Homes

The proposed new home construction or changes during construction should be compatible with the design characteristics of the existing homes and the general community.

Compatibility will be determined according to: harmony in style, scale, materials, color, and construction details, along with workmanship and timing.

- **Style.** Consistent with the existing structure(s) and the coastal, craftsman/cottage-style homes in the community.
- **Scale.** The three dimensional size of the proposed change must relate well to neighboring homes and structures.

- **Materials.** Changes and additions to new homes must use the same materials as are used in the existing homes in the community. Building materials will be considered for acceptability by type, color, texture, and durability. New home construction should use materials similar to those used within the community. Materials not permitted for sidings are:
 - Concrete block
 - Metal
 - Plywood
 - Plastic or vinyl
- **Color.** Color may be used to soften or intensify visual impact. For example, a shower surround should be painted the same color as the existing home or garage that it is attached to. A storm door should be painted to match the entrance door or other house trim color. Structures should be painted to match or augment the existing home. A change in the color of existing doors and structures must be approved by the ARC.
- **Workmanship.** Workmanship should be equal to or better than that of the existing structure(s) on the property.
- **Timing.** Projects that remain uncompleted for long periods of time, for example one to four months, are visually objectionable and can be a nuisance and safety hazard for neighbors and the community as a whole. All applications must contain a proposed maximum time period from start to final completion of the construction and there should be continual progress during that time period. If the proposed time period is considered unreasonable, the Committee may disapprove the application on that basis. This applies equally to modifications of existing structures and landscaping. The schedule for landscape projects that have a long lead time to completion must be approved by the Landscape Committee. Furthermore, the appearance of property under construction, as viewed from neighboring lots and streets, must remain reasonably clean and free of building materials and equipment while construction is in progress.

4.3.4 Government Regulation Compliance

All architectural and landscape changes must comply with Town of Ocean Isle Beach, Brunswick County, and North Carolina Department of Environmental and Natural Resources requirements and regulations. The requester is responsible for ensuring compliance of the proposed project.

All construction within the community shall comply with the Coastal Stormwater Management Regulations. (Refer to Covenants Article IX, Section 1-3). One requirement of this section requires a specified drainage area that limits the area that may be built upon with impervious surfaces. The Built Upon Area or BUA includes but is not limited to the

following: structures, asphalt, concrete gravel, brick, stone, slate, coquina, stepping stones and parking areas.

If you plan to make any additions or changes on your property that could impact the impervious surface (BUA), you may be required to get a survey update once the work has been approved by the ARC and completed.

4.4 Appealing a Disapproved Plan

A Homeowner may appeal any decision of the ARC or LC by submitting a written appeal with the Board of Directors within thirty (30) calendar days after receipt of a decision. The BoD will notify the appealing party in writing of the date and time that they may present their case to the BoD, which shall normally be at the next regularly scheduled monthly Board meeting. A two-thirds (2/3) majority vote of the Board of Directors is required to reverse a decision. The applicant will be provided a written response from the Board of Directors concerning the appeal within forty-five (45) calendar days.

5 GENERAL USE GUIDELINES

5.1 Subdividing Lots

Lots may not be subdivided or boundary lines changed after the Declarant (the community developer) has recorded the lot with the Brunswick County Registry. Article II, Section 2 of the Covenants provides an extensive set of conditions for any lot reconfiguration.

5.2 Residential Use of Lots

Lots are to be used exclusively for single family, detached, residential homes. Limited home office use is permitted as long as:

- Clients or the public do not routinely come to any lot;
- No significant business traffic is generated; for example, extensive or consistent shipping and delivery services;
- The home business use complies with local zoning ordinances.

Homes may not be used as “boarding homes,” single or multiple room rentals, shops, trades, or professional business services.

Ownership of a lot or home through time-sharing or interval ownership is prohibited. However, an entire home may be rented or leased for a term of more than 30 days. Copies of any such leases must be filed with the WCHOA. Lot and home ownership by joint tenants or tenancy in common is permitted.

5.3 Nuisances

Activities that are noxious, unlawful, or offensive are not permitted. Homeowners cannot keep plants, animals, junk, junk automobiles, furniture, tools, raw materials, or devices on their lot that are, “noxious dangerous, unsightly or unpleasant” Propane gas containers must be screened from public view. Building supplies may not be stored on a lot prior to the issuance of a building permit.

5.4 Animals and Pets

Homeowners are allowed to keep a maximum of three (3) total cats, dogs, or other domestic household pets on a lot. (Article II, Section 16 of Covenants.) Other animals, such as wildlife, poultry, reptiles, cannot be bred or kept on a Lot or in a home. Animals that endanger Homeowner health and safety, make objectionable noise, or constitute a nuisance or inconvenience to other Homeowners shall not be kept or maintained on any lot or in any dwelling. Homeowner pets and animals must comply with the Brunswick County, and State of North Carolina requirements regarding pet licenses and vaccinations. Animals must be leashed prior to leaving their Homeowner’s property and must remain on a leash at all times while off their Homeowner’s property. Pet owners are responsible for cleaning up their pets feces anywhere within the neighborhood. Violations of the leash law will also be reported to the appropriate authorities.

5.5 Animal Pens and Shelters

Animal pens and shelters, such as a doghouse, may not be constructed on any lot.

5.6 Antennas and Satellite Dishes

With ARC approval, over the air reception device (OTARD) antennas device may be installed on a Homeowner’s Lot. No antenna of any kind may be installed in the Common Area. The Covenants state that OTARD devices are to comply with Over the Air Reception Device Rule 47 C.F.R 1.4000. A compliant antenna is one of the following:

- Used to receive or send over the air direct broadcast satellite service. Such antennas must be no more than one meter (3.3 feet) in diameter;
- Used to receive video programming services via multipoint distribution. Such antennas must be no more than one meter (3.3 feet) in diameter; and
- Any antenna used to receive television broadcast signals.

The exterior antennas must be erected in a location that is least visible from the street or driveway while still providing an acceptable quality signal to be received. The Homeowner is responsible to ensure applicable FCC and Brunswick County requirements are met.

The Request for Architectural and Landscape Approval must include a sketch, plat, or map showing the intended location and an explanation of why that location was chosen.

5.7 Clotheslines

Permanent exterior clotheslines that are visible from any Common Area or adjoining lot are prohibited. A temporary exterior clothesline may be used under the following conditions:

- It is concealed from view of all streets;
- It is screened from view of any neighbor who objects to seeing it;
- Laundry is not left on the lines any longer than necessary for drying; and
- It is retracted or removed immediately after each use.

5.8 Firearms and Fireworks

The use of fireworks, firearms, and gas powered guns within Waterway Cove on a Lot or on Common Area is strictly prohibited. No hunting is permitted within any portion of the Waterway Cove community. In addition to a daily or per incident fine, violators may be subject to criminal prosecution by the appropriate authorities.

5.9 Grading, Elevation and Drainage

Grading and other changes in topography could result in improper drainage and cause flooding on other properties. The ARC and Landscape Committee will deal with these requests on a case-by-case basis. The ARC and LC may require the Homeowner to provide a site or plot plan that reflects the new topography for the changes that involve grading. Alteration of flow of water in existing drainage ditches and culverts is discouraged as it is likely to impact upstream and/or downstream Homeowners. The State of North Carolina Department of Environmental Quality (DEQ) may also have requirements to be met before making changes.

The Homeowner is advised to consult with the ARC and LC to determine what details will be required for an application of this type.

The Homeowner, not the Waterway Cove Homeowners Association, is fully and exclusively responsible for any damage that results from topographical changes made by the Homeowner, whether or not the changes were approved by the ARC, LC, or the Board of Directors.

5.10 Easements

The WCHOA has easements that you may not know exist. Your house does have set back easements. Before you start any project please contact the ARC or Landscape Committee. If in doubt, it's always best to ask before you get started.

5.11 Impervious Surface Limit

As required by our Stormwater Permit SW8 070544MOD, each lot has an impervious surface limit which is documented in the original property survey received at closing. Any property changes or addition that changes the amount of impervious surface on a lot may require a survey update to establish that the impervious surface has not exceeded the lot limit. The ARC

maintains a list of the BUA for all properties in the community. Homeowners can contact the ARC for this information.

5.12 Security Cameras and Videos

Security cameras are allowed only as long as they are directed only towards a Homeowner's own property. Cameras must not be directed to record other Homeowner's property or activities.

5.13 Signs

No signs or billboards of any kind shall be displayed in public view on any lot except as follows:

- One sign advertising the property for sale
- Signs posted on the Common Area by the WCHOA
- During the period of construction or sale is permitted

Signs may not be more than six (6) square feet (2' X 3') in size.

Temporary, occasional signs of a personal nature, such as those that:

- Announce a new arrival or birthday may be displayed for not more than one week
- Garage or yard sale signs may be displayed only during the day before and the day of the sale
- Political signs may be displayed for no more than forty-five (45) days prior to the day of the election and must be removed 5 days following the election
- Maximum of 2 signs are allowed

5.14 Vehicle Parking

Please refer to Article II, section 13, of the Covenants for vehicle parking information and guidelines OR refer to Appendix D for complete information.

Driveway expansion or the addition of parking space on a Lot requires ARC approval regardless of the type of proposed surface treatment. Changes to landscaping, and changes to the amount of impervious surface on the lot must be considered in all proposals.

5.15 Vehicle Maintenance

The assembly or disassembly of motor vehicles and other mechanical devices is prohibited, unless it is done within the confines of the Homeowner's garage. Minor maintenance tasks and emergency repairs can be done outside of the garage as long as the work is completed in one day's time. Homeowners should contact the Board of Directors or the Management Company if circumstances prevent movement of vehicles needing repairs. All petroleum waste generated from such work must be properly disposed of by the Homeowner and not dumped in any lot, common area or storm drain.

6 ARCHITECTURE AND LANDSCAPE GUIDELINES AND GENERAL USE STANDARDS COMPLIANCE

6.1 Homeowner Report of Suspected Non-Compliance

To maintain the aesthetics and integrity of our community, any Homeowner can report suspected non-compliance of the Architectural Review Guidelines and Standards. Homeowners can report a suspected violation of the standards by calling or sending an email to the Management Company. A record of the reporting Homeowner is kept by the Management Company or the WCHOA.

6.2 ARC and LC Follow up Activities

The ARC and LC conduct periodic reviews of the neighborhood. Periodic reviews are completed from the street. Committee members will not enter a Homeowner's property without prior notification to the Homeowner. If a suspected non-compliant issue is noted, individual homeowners will be contacted by ARC, LC or the management company and will be required to remedy the issue.

If the Committee members notice a property change without an approved Request for Architectural & Landscape Approval on file, the Homeowner will receive a Notice requesting that the Homeowner submit a Request for review and approval. Work on the unapproved change should stop immediately until the ARC and/or LC request has been submitted and approved.

6.3 Compliance Process

All Homeowners agree to comply with the Standards and the Covenants of Waterway Cove Homeowners Association. If a violation is suspected, the ARC and/or LC will attempt to contact the Homeowner to try to resolve the issue.

If the issue can't be resolved through these discussions, the following steps will be taken:

1. The Homeowner will be sent a friendly reminder
2. The Homeowner will receive a written, official notice of the violation
3. The Board will hold a hearing with the Homeowner present to determine final actions to be taken to resolve the issue

The Management Company assists the Board of Directors by providing the official communication between the Board and the Homeowners.

Timing between each step depends on the nature of the violation. Easily corrected violations such as landscape maintenance or removing a lawn sign are given shorter correction periods than more difficult items such as making a home repair.

6.3.1 Friendly Reminder

The 'friendly reminder' is a letter from the Management Company to a Homeowner that points out or reminds a Homeowner of their non-compliance with the Standards. The objective of the letter is to have the Homeowner voluntarily correct the non-compliance.

6.3.2 Official Notification

If after a Homeowner fails to respond to the 'friendly reminder' the Management Company may issue a Notice of Violation. A date is specified for expected correction of the violation, which would be ten (10) days from the date of the official notification letter. The Board may offer suggestions for remediation or correction of the violation. The notice will detail the Standards that are being violated.

6.3.3 WCHOA Board Hearing

If a Homeowner does not bring their property into compliance within the ten (10) days, as stated above, based on the violation, the Homeowner will be given an opportunity to attend a hearing before the WCHOA Board. The objectives of this phase are to:

- Ensure the violation is clearly explained and understood by the Homeowner
- Understand the Homeowner's position and assist the Homeowner in evaluating potential courses of action
- Obtain Homeowner agreement on voluntary compliance and an action or remediation plan
- Discuss potential actions available to the Board if an action or remediation plan cannot be agreed upon

The Homeowner will be informed by registered letter of the time and date of the hearing. The letter will contain a description of the unapproved modification and any photos and correspondence that pertain. The Homeowner must be notified of the hearing within a minimum of ten (10) days prior to the hearing date. The Board will make good faith efforts to work with the Homeowner on the scheduling of the hearing.

If a Homeowner does not participate in the hearing, the Board may decide on a remedial action or fine in the Homeowner's absence. The fines for non-compliance are described in other sections of this document. The determination of the Board is final and cannot be appealed. The Homeowner will receive notification of the determination by registered mail.

6.3.4 Final Actions

As a result of the Board determination at the hearing, the Homeowner may be subject to the following actions:

- Suspension of Homeowner’s voting rights and privileges until the delinquency is paid or until the violation is cured or for 60 days, whichever is longer
- Fines for the violation will be determined and administered by the Board up to \$100 per day for each day more than five (5) days after the Board’s decision
- Collection of outstanding fines, penalties, and fees associated with this action by private agency
- Waterway Cove Homeowners Association may initiate litigation against the Homeowner to recover all costs associated with this action, including its reasonable attorney’s fees and expenses incurred. At the discretion of the Board, legal actions may include filing of lien against the Homeowner’s property for all outstanding fines, penalties and fees associated with this action. The lien shall remain in effect until such time that the violation has been corrected and all fines have been paid in full

The Homeowner will receive notification of initiation of these legal actions from the attorney hired by the Board or its agent.

7 AMENDING WATERWAY COVE HOMEOWNERS’ GUIDELINES AND STANDARDS

The Waterway Cove Homeowners’ Guidelines and Standards (Guidelines) is a dynamic document designed to reflect the current values of the WCHOA and Homeowners. The Guidelines and processes may be changed or amended as the need to do so is recognized. Amendments to the Guidelines will be in response to events that identify required or appropriate changes in a process, standards contained in the Guidelines or the document itself. Amendments may also be in response to a change in the values or beliefs of the WCHOA. This section defines the amendment process.

Homeowners are encouraged to discuss any concerns that they may have about the Guidelines or processes with a member of the Board of Directors, the ARC or the LC. The Covenants grant the ARC “sole and full authority” to amend the Architecture Review Guidelines. However, the ARC will present requests and proposed amendments to the Board of Directors for review and acceptance. The Architecture and Landscape Review Guidelines and Standards or process can be amended through the following process:

1. Written proposals for amendments will be initiated by or presented to the Architectural Review Committee or Landscape Committee for consideration
2. The ARC and the LC will discuss the proposal and if they decide it has merit, the chairman will present it to the Board of Directors at its next regularly scheduled meeting

3. The Board of Directors will discuss the amendment and adopt the changes
4. If accepted, the Board of Directors will notify Homeowners of the proposed amendment via the Homeowners Association newsletter or any other means it so chooses. The final approval of the proposed amendment will be tabled for thirty (30) days after Homeowner notification to provide Homeowners the opportunity to consider, discuss and provide comments on the amendment. If a majority of the Homeowners object to the proposed amendment, the Board of Directors may rescind it. Unless rescinded by the Board of Directors, the amendment becomes effective at the end of the thirty (30) day notification period. Homeowners will receive an update of this document soon after the amendment becomes effective

Appendix

Appendix A. Use Restrictions covered in Article II of the Waterway Cove Declaration of Covenants, Conditions, and Restrictions

Appendix B. Request for Architectural & Landscape Approval form and online processes

Appendix C. Board Policy on Fines and Suspensions

Appendix D. Vehicle and Off-Street Parking

APPENDIX A. Covenants Article II, Use of Lots and Common Area

The Covenants and Bylaws contain several specific standards and restriction for the community. The following standards and restrictions are covered in the “Amended and Restated Declaration of Protective Covenants, Restrictions, Easements, Charges, and Liens for Waterway Cove” (the Covenants), Article II - Uses of Lots and Common Areas. These standards have been incorporated into the Architectural Review Guidelines and Use Standards and will be considered in Architecture Change Requests. Homeowners can find the Covenants on the Management Company website.

- Subdivision or reconfiguration
- Residential use of lots
- Nuisances
- Exclusion of above ground utilities
- Signs
- Prohibition against business activity
- Mining and drilling
- Garbage disposal
- Temporary structures
- Other structures
- Clotheslines
- Vehicle and off-street parking
- Sewer, water, utilities
- Firearms and fireworks
- Animals and pets
- Driveways
- Mailboxes and delivery receptacle
- Garages and parking
- Wells and irrigation
- Ponds, lakes and water retention areas
- Artificial vegetation, exterior sculptures, and similar items
- Play structures and yard accessories
- Energy conservation equipment
- Trees
- Elevation and drainage changes
- Boat slips
- Docks, piers, landings, etc
- Restriction on rentals and leasing
- Antennas

APPENDIX B. Request for Architectural and Landscape Approval Process

Prior to making exterior or landscape changes to their property, Homeowners must obtain approval by the Architectural Review Committee or Landscape Committee. Any exterior modifications made to property without gaining approval is in violation of the Covenants and may be cited in a violation letter. A copy of the Request form is available on the Management Company website. However, Homeowners are encouraged to use the online process available on the Management Company website for submitting a Request.

Following are images of the Request web page and instructions for downloading the Request form to submit it via the US Postal Service.

1. First login to the Management Company website.

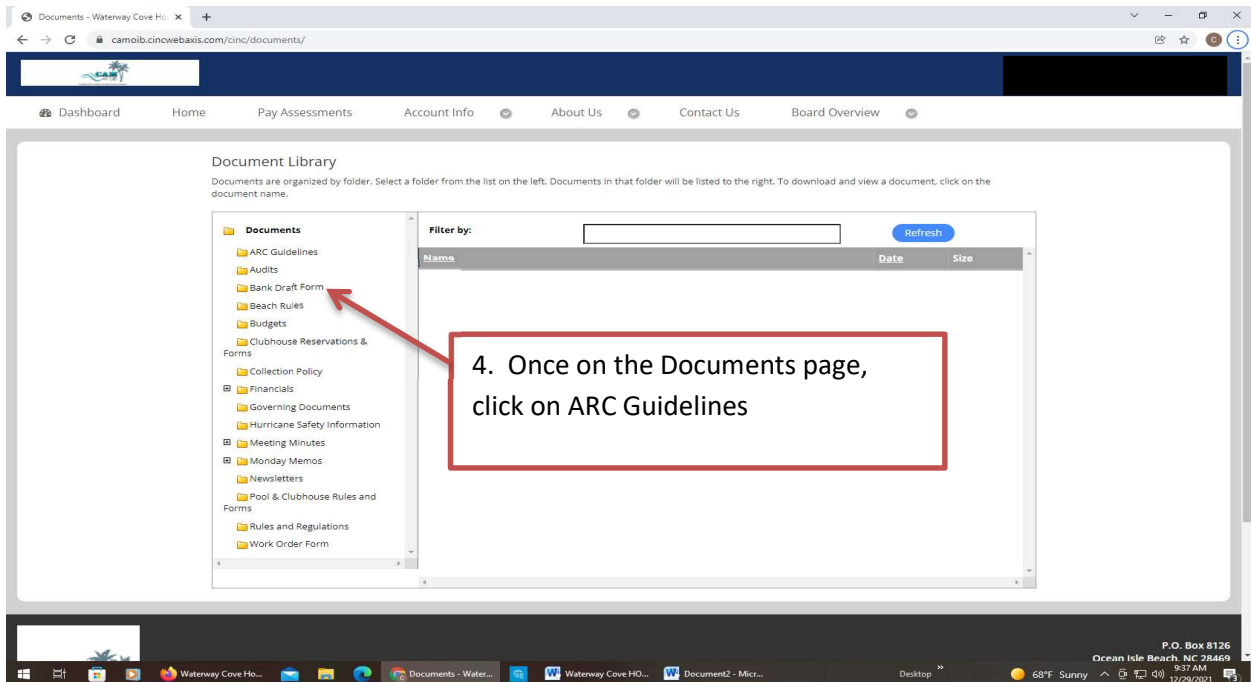
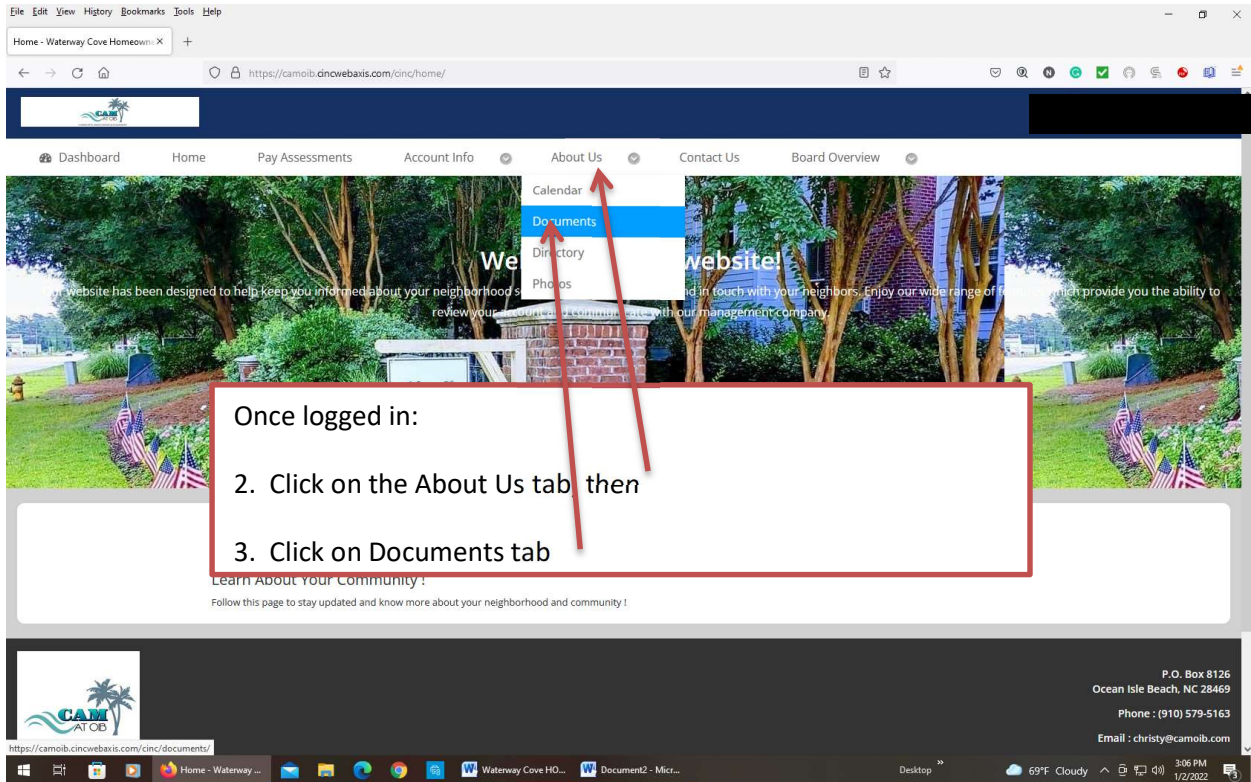
The screenshot shows a web browser window displaying the login page for CAM AT OB. The page features a background image of a residential property with trees and a sign that reads "Waterway Cove". On the right side, there is a login form with fields for "Your Email Address" and "Password", a "Remember me" checkbox, and a "Forgot Password?" link. Below the form are "Sign In" and "Create Account" buttons, and a "Back to Home page" link. A red arrow points from a text box to the "Your Email Address" field. The text box contains the following text:

There are 5 steps to obtain the Architectural Change Request Form

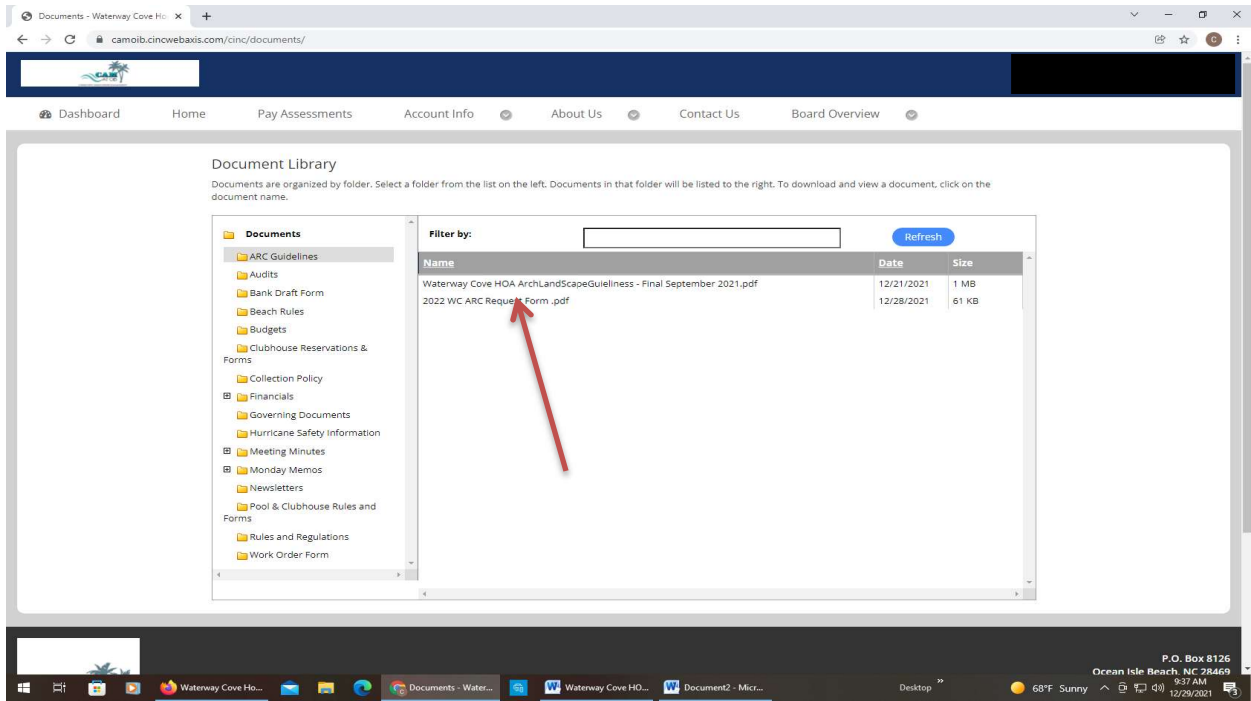
1. Enter your email address and password

After you are logged in to the Management Company's website, you will be taken to the WCHOA Welcome page.

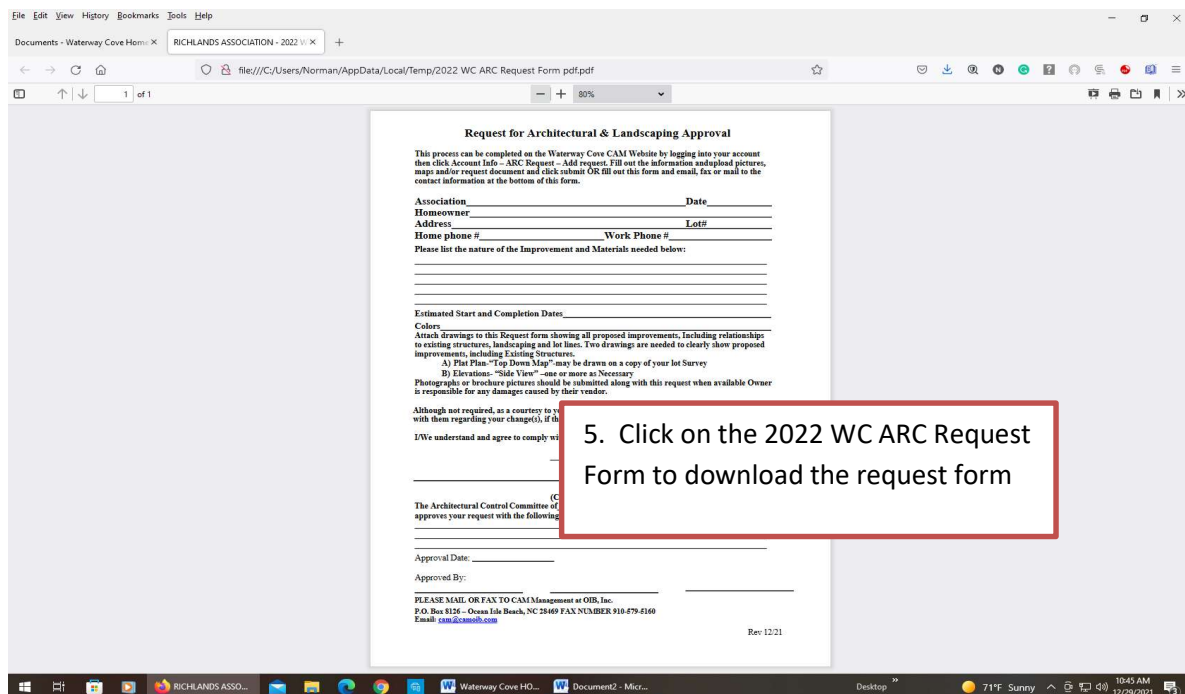
2. Once on the welcome page click on the About Us menu
3. Next click on the Documents tab.



4. Once on the Documents page click on the ARC Guidelines folder. You will then be presented with two options.



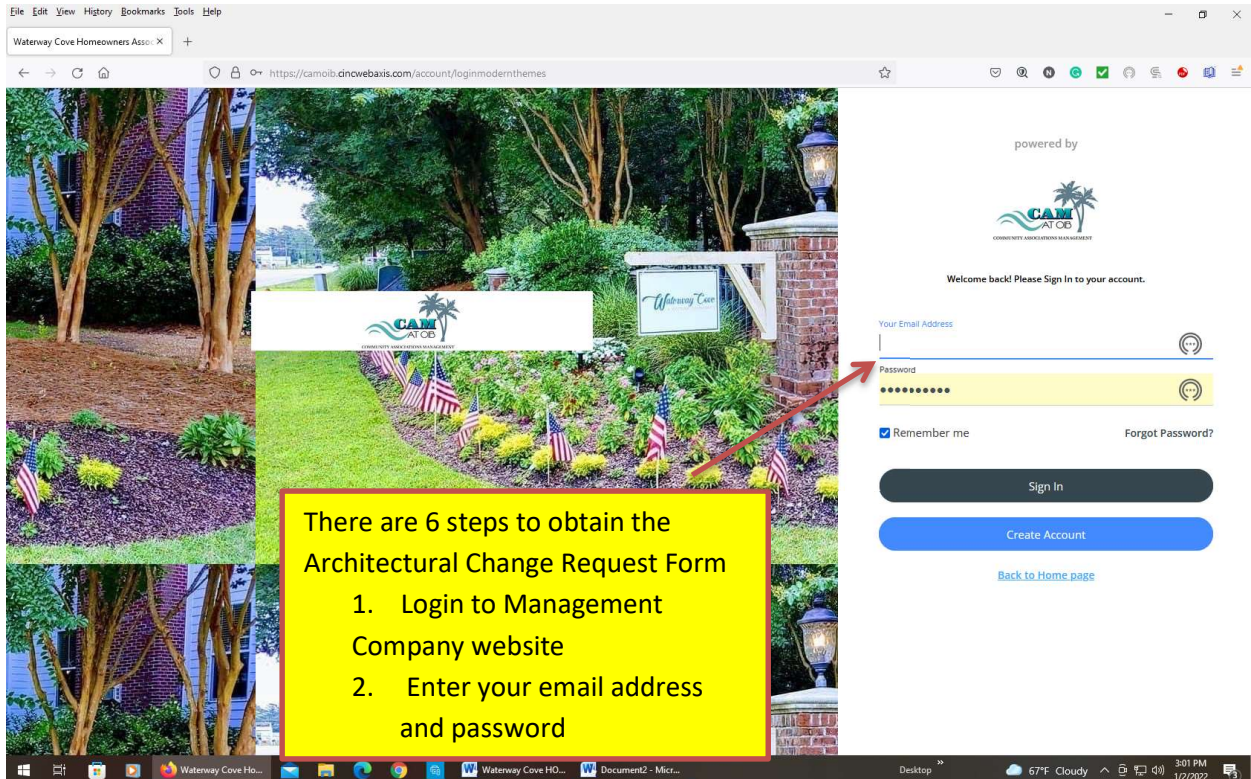
5. Click on the “2022 WC ARC Request Form” to download the Request for Architecture and Landscape Approval form to your computer or tablet.



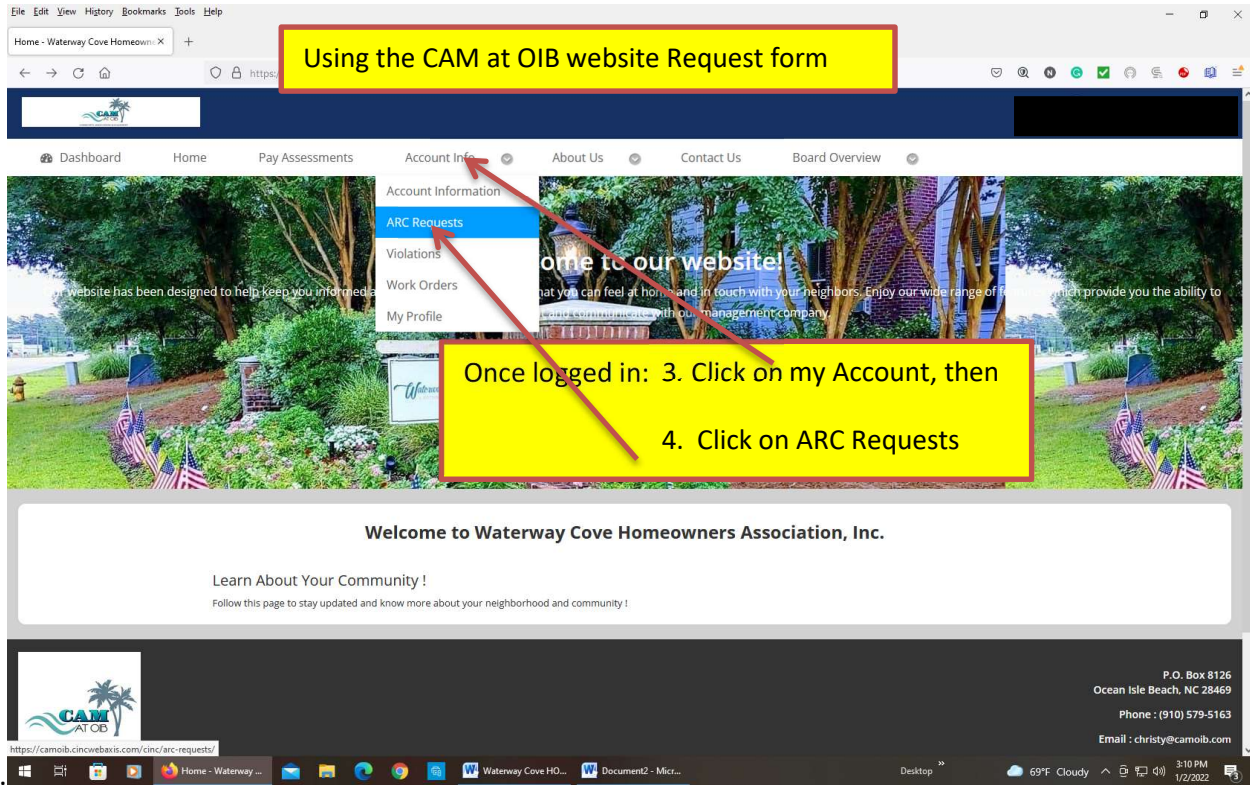
6. Complete the Request form and mail or fax it to the Management Company.

Following are images of the Request web page and instructions for **submitting a Request using the online process available on the Management Company website.**

1. First login to the Management Company website.

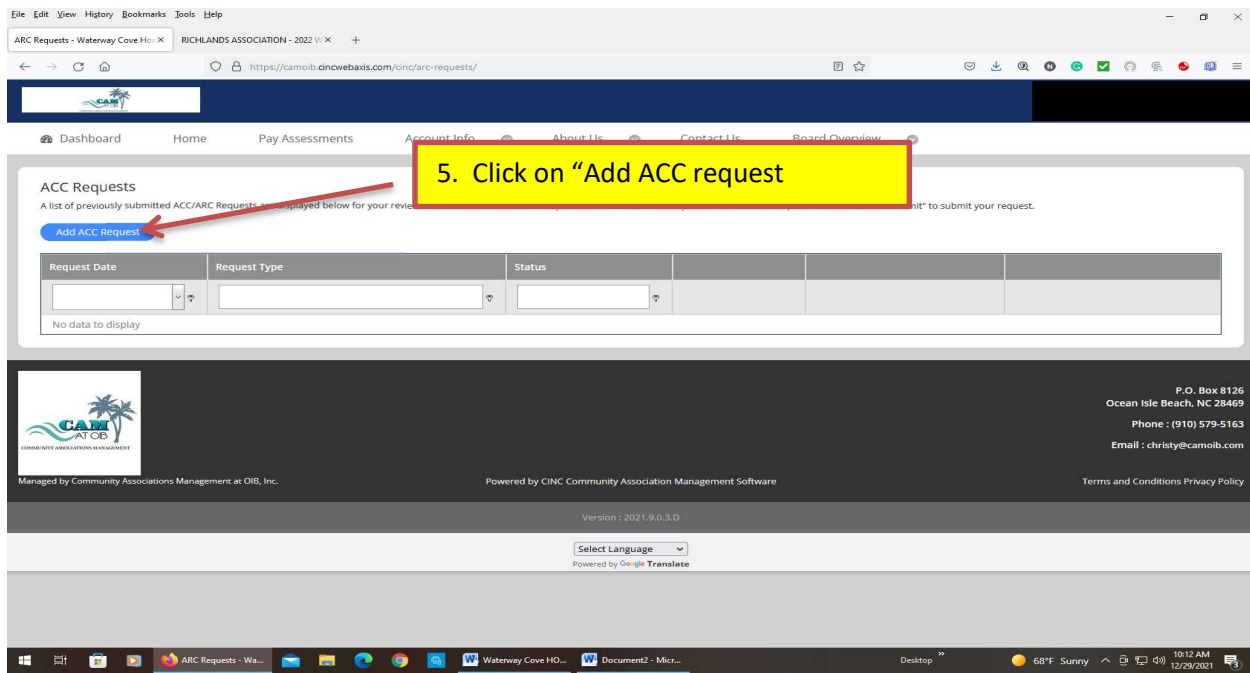


2 and 3. Once logged in, select My Account and then the ARC Requests option from the pull down menu.

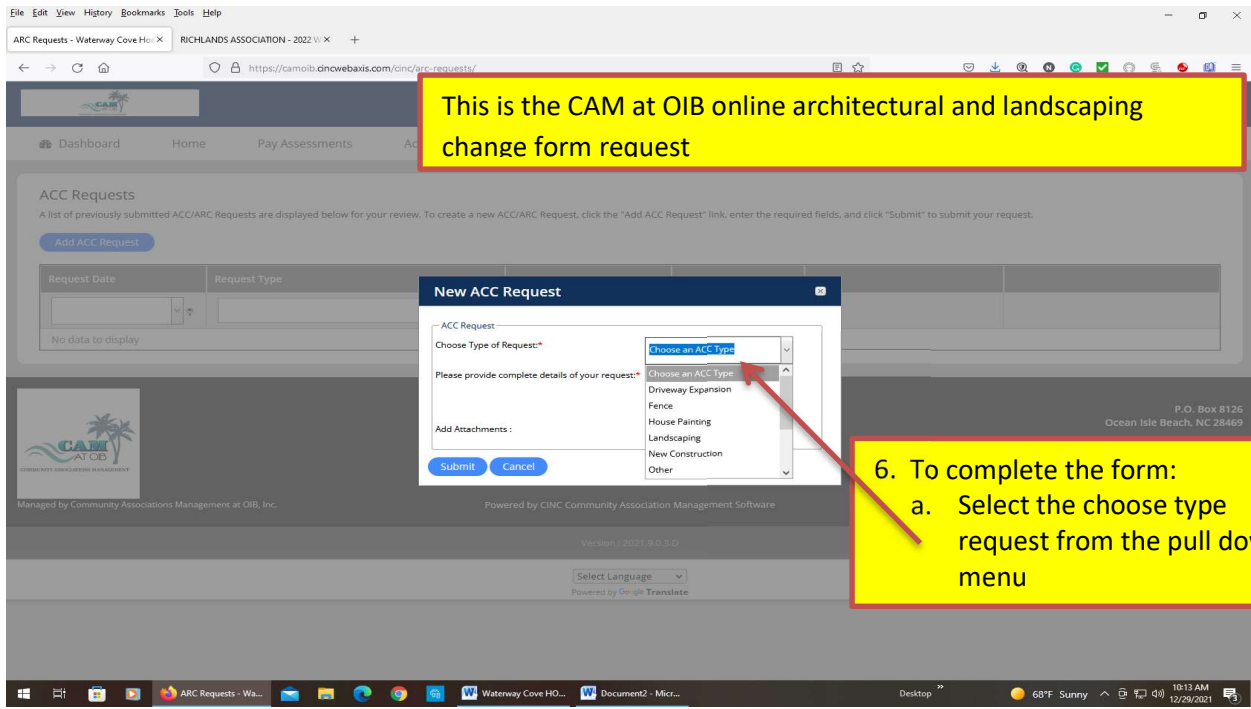


ii.

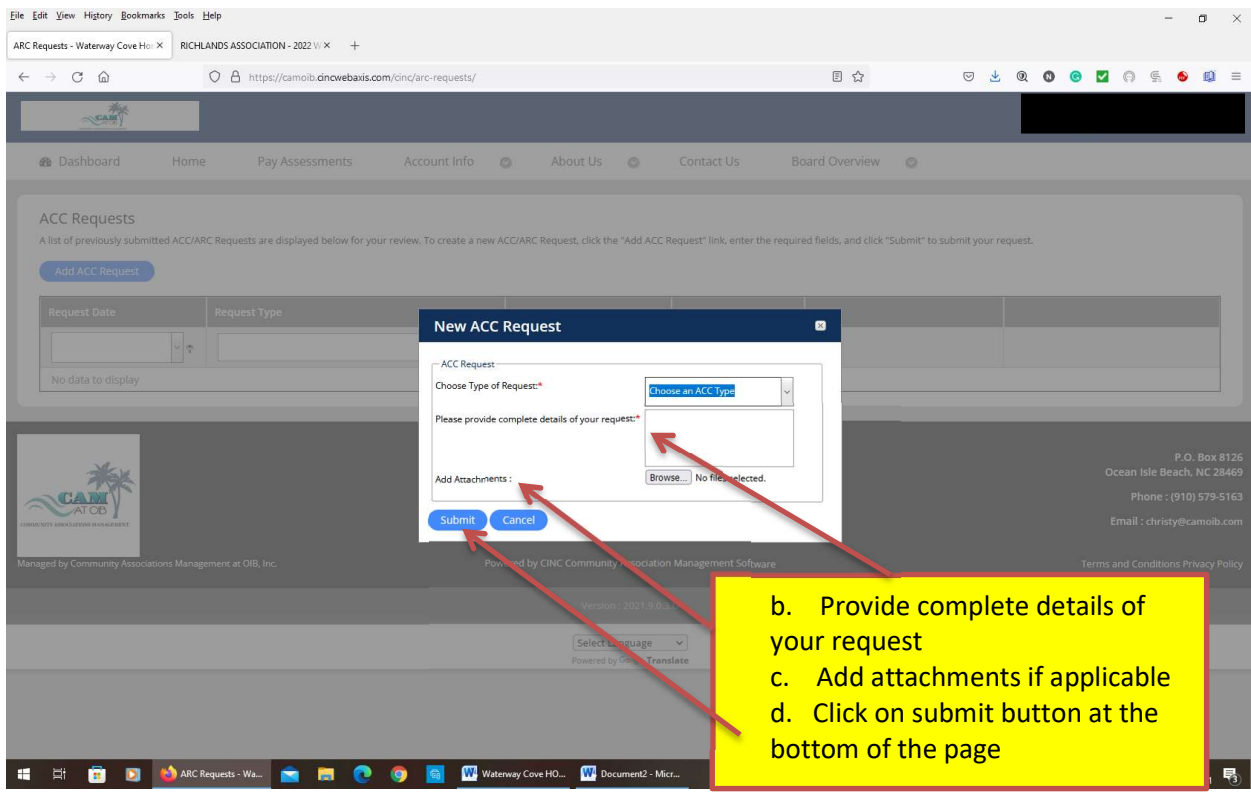
4. You will then be taken to the following page. Now click on the “Add ACC Request” option.



5. You will then be shown the online Community Associations Management at OIB Company form. Complete the form following the steps shown below. You can also provide additional information to CAM at OIB using US Postal Service, email, or fax.



6. To complete the form:
a. Select the choose type request from the pull down menu



Waterway Cove Homeowners Association

Completing a Request for Architectural & Landscape Approval

Please provide as much information as possible so a decision can be made. All change requests will be responded to in writing within 45 days.

1. Provide an accurate description of the proposed architectural change or project.
2. Provide a plant list and planting plan/sketch for proposed landscape changes or project.
3. Provide copies of permits required.
4. Provide a complete set of construction plans; Front-Side-Rear
5. Also provide any materials, colors, preservation techniques, and structural details, similarities to existing structures within the community, measurements, and any other information that will accurately describe the appearance of the change when complete. Include color samples and/or paint chips for exterior color change requests.
6. Provide a plat or “birds-eye” view of the entire lot and identify the proposed changes. This can be done by including a lot survey or hand drawn diagram and marking the proposed changes in colored pen or marker.
7. Provide as many views of the proposed project as necessary to accurately describe it and present it to the board of directors or architectural and landscape committees.
8. **It is strongly suggested that you discuss your proposed project with each Homeowner of neighboring/adjacent lots or any Homeowner who would reasonably be able to view your proposed change from their property**

Appendix C: Board Policy on Fines and Suspensions

Pursuant to Article XIV, Section 2 of the Waterway Cove Covenants, the Board may impose a reasonable fine or fines upon a Homeowner for failure of a Homeowner to comply with any covenant, restrictions, rule, or regulation contained in this Declaration, the Rules and Regulations, the ARC guidelines and/or Bylaws of the Association pursuant to the applicable notice and hearing procedures.

Once imposed, fines shall be treated as an Individual Assessment subject to the provisions for the collection of assessments. The Association may conduct any administrative proceedings permitted or provided for under the Declaration, The North Carolina Planned Community Act, Chapter 47F of the North Carolina General Statutes, as the same may be amended, or such successor or replacement act (ACT) or as otherwise provided by law, including without limitation, the right of the Association, after notice and an opportunity to be heard, (i) to impose reasonable fines for violations of the Declaration, Bylaws, Rules and Regulations and/or Architecture Review Guidelines, or (ii) to suspend privileges or services provided by the Association (except rights of access to Lots) for reasonable periods for such violations or during any period that Assessments or other amounts due and owing to the Association remain unpaid for a period of thirty (30) days or longer.

Prior to pursuing the imposition of a fine or the suspension of privileges or services allowed by the ACT and as provided herein, the offending Homeowner will be notified and given ten (10) days in which to cure the violation or nonpayment. If the violation or nonpayment is not cured within this ten (10) day period, a hearing shall be held before the Board or an adjudicatory panel appointed by the Board to determine if the offending Homeowner should be fined or if privileges or services should be suspended. The offending Homeowner charged shall be given notice of the charge, an opportunity to be heard and present evidence and notice of the decision.

If it is decided that a fine should be imposed, a fine not to exceed \$100.00 may be imposed for the violation and without further hearing, for each day more than five (5) days after the decision that the violation occurs. Fines imposed shall be Individual Assessments secured by liens under N.C. Gen. Stat. §47-3-116. If it is decided that a suspension of privileges or services should be imposed, the suspension may be continued without further hearing until the delinquency is paid if imposed pursuant to N.C. Gen. Stat. §47-3-102(11) or until the violation is cured or sixty (60) days, whichever is longer, if imposed pursuant to N.C. Gen. Stat. §47-3-102(12). The Association may institute actions or proceedings permitted by law or the Act to collect any sums due and owing to it.

Appendix D: Vehicle and Off-Street Parking

Per the Waterway Cove Homeowner's Association Covenants, Article 2, Section 13

No mobile home, modular home, trailer (either with or without wheels), motor home, tractor truck (other than personal-use pick-up trucks and sport utility vehicles), commercial vehicles of any type (including without limitation, cars or trucks with advertising signs or lettering), camper, motorized camper or trailer, recreational vehicle, boat or other watercraft (including jet skis, wave runners and similar craft), boat trailer, motorized go-cart, or other related forms of transportation may be stored or parked upon any Lot, on the Commons Areas, or on any right-of-way of any road or street within the Subdivision or adjoining the Subdivision by any Owner, its family, tenants or contract purchaser except either in an enclosed garage located on a Lot or otherwise in accordance with the Rules and Regulations. Each owner shall provide for parking of vehicle off of the alleys, private lanes, streets and roads within the Subdivision, Notwithstanding the foregoing, but subject to the ordinances and regulations of an governmental authority have jurisdiction thereof, (i) delivery and maintenance vehicles that are not owned by a Lot Owner or its family members or tenants may park either in the driveway or on the streets and roads immediately in front of the Lot for which the delivery or maintenance is being provided for a period not to exceed 8 hours, (ii) an Owner, its family members and tenants may park temporarily for a period not in excess of 24 hours non-commercial passenger vehicles, and pick-up trucks on the streets and roads immediately in front of such Owner's Lot; and (iii) Contractor's trucks and vehicles may be parked on the Lot or on the streets and roads of the Subdivision during and in connection with the construction of the Dwelling or other Improvement. No Owners or occupants of any portion of the Lot shall repair or restore any vehicle of any kind upon Lot or within the Subdivision except (i) within enclosed garages, or (ii) for emergency repairs, and then only to the extent necessary to enable the movement thereof to a proper repair facility. Violators of the prohibitions contained in this section are subject to have their vehicles towed, at the Owner's expense, by or at the direction of the Association, and to the levy of fines by the Association in such amount as may be otherwise determined from time to time by the Association. Additional rules and regulations regarding use, repair, parking (both off-street and on-street) and storage of vehicles in the Subdivision may be promulgated from time to time by the Association.