

**THE PROPERTY OWNERS ASSOCIATION
OF
CEDAR CREEK**

DESIGN GUIDELINES

Revised April 2017

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The Property Owners Association of Cedar Creek

DESIGN GUIDELINES

ARTICLE I INTENT

1.01 Purpose of Guidelines.

Cedar Creek Development Corporation, the developer of Cedar Creek, (the Declarant) in the Declaration (Declaration) provides for application of the same planning and design concepts used in infrastructure development, to the development of homesites and/or dwellings by establishing Architectural Standards and Use Restrictions and by creating the Architectural Review Board (ARB) for application review and enforcement of approved standards and restrictions. The Architectural Standards and Use Restrictions help to preserve the natural setting and beauty of the Development; establish and preserve a harmonious and aesthetically pleasing design for the Development and protect and promote the value of the development, homesites, dwellings and all associated improvements.

These standards and restrictions are augmented by *the Cedar Creek Design Guidelines* (the "Design Guidelines") contained herein, which are to establish design parameters, encourage creative design commensurate with the quality established in the development of the Land Use Plan and create a uniform review and approval process. The Design Guidelines are incorporated into the Declaration, by specific reference and therefore are a part thereof. The ARB is the entity that administers the Architectural Standards and Use Restrictions and the Design Guidelines.

All guidelines are continually subject to review and amendment by the ARB to address planning and design issues arising subsequent to creation of this document, to better insure that design quality is maintained at the appropriate standard, to increase the level of equity in the review and approval process, and to simplify administration.

ARTICLE II

REVIEW AND APPROVAL PROCESS

2.01 **Architectural Review Board**

(a) Makeup: As referenced in the Declaration, the ARB shall consist of up to SEVEN, but not less than five, resident homeowner members Appointed by the Board of Directors of the Association.

(b) The Association, as defined in the Declaration shall appoint an ARB Administrator who shall be responsible for handling all procedural aspects of the operations of the ARB, including the application, review, hearing and appeal processes as hereinafter described. **The ARB Administrator is a full voting member of the ARB.** Notwithstanding anything herein to the contrary, the Administrator shall not be required to be a Property Owner.

The ARB may retain consulting architects, landscape architects, planners, Engineers, inspectors, attorneys and/or other to assist and advise in the performance of its functions **with the approval of the Board of Directors.**

(c) Purview: No improvements of any size or nature whatsoever shall be constructed, altered, added to or maintained upon any part of the development, except as provided for in Section 10.03 of the *Declaration*, without the official written consent of the ARB. If a lot or dwelling owner receives a notice from the ARB describing either a violation of the Declaration or a complaint supported by appropriate documentation which the ARB determines to be valid, the owner has 10 days following delivery of notice to either comply with the action requested by the ARB within the time period stipulated in the notice, or file an appeal to schedule a meeting with the full ARB to review the violation or complaint. After the meeting, the full ARB will make a decision as to the merits of the violation or complaint and notify the owner of its decision within 10 days following the meeting. If the ARB upholds the action, the ARB may include a recommendation in its decision as to a **recommended** fine in addition to ordering the elimination of the violation and/or remedy of the complaint. The owner may, either comply with the ARB decision and accept the fine imposed, if any, or appeal the decision to the Board of Directors of the Association within five days following delivery of notification of the ARB decision. The Board of Directors will consider the appeal at its next regularly scheduled meeting or at a special meeting called for that purpose. The Board of Directors may, or may not, uphold the proposed fine, or may or may not, impose other fines as it deems appropriate pursuant to the provisions of Section 11.02 of the Declaration. Any monetary penalties imposed will become due within 10 days and are payable to the Property Owners

Association of Cedar Creek. Failure to comply may result in the levy of additional fine(s) as determined by the Board of Directors until the owner resolves the violation or complaint to the satisfaction of the ARB.

(d) Meeting Schedule: At least once each month, and additionally, upon call by the ARB Chairman, meetings will be held at the time and location determined by the ARB Administrator. A quorum of four members is required for a meeting.

2.02 How to Proceed

The review processes are structured to provide the greatest ease possible in obtaining approvals, yet accomplish the objectives and purposes of the Architectural Review. The material and information requested are necessary to make informed intelligent decisions and must be submitted in full before a project will be reviewed. All submittals will be reviewed for quality, completeness and accuracy before project is placed on the ARB's meeting agenda.

The Preliminary Review is also used to request an ARB determination whether minor projects can be exempted from certain application requirements contained in any of the review processes. Such exemptions may be considered to erect a barbecue, place a bench on a deck, widen outside steps or other similar very minor projects.

The Final Review is the main approval mechanism for projects and is designed to give the Applicant definitive feedback on project acceptance, project acceptance subject to specific modification or project rejection. The ARB can reject a proposed project purely for aesthetic considerations without citing specific objections if, in its judgment, the proposed project is not consistent with the intent and objectives of the Architectural Standards and Use Restrictions and the *Design Guidelines*. The tenets of nature preservation, design compatibility and property value enhancement identified under Section 1.01 "Purpose of Guidelines" will be the primary criteria upon which decisions are made.

The ARB will not address administrative or procedural questions from Applicants. All such questions are to be directed to the ARB Administrator.

Applicants are encouraged to maintain a strong presence in the planning, design and construction of their property, possible future home and investment. For those who cannot, it is recommended that qualified professional assistance familiar with the implications of the design requirements herein be retained. As such, the best results can be expected if the drawings are prepared and presented by a registered architect or Builder. All Realtors, Builders and design professionals to be retained should be directed to become intimately familiar with the intent of the *Design Guidelines* and Cedar Creek community concept.

2.3 Preliminary Review.

Though not required, opportunities for Preliminary Review are offered and encouraged by the ARB. This would happen when planning a house design which differs enough from the current styles of homes built at Cedar Creek. This is a good method to get a non-binding reaction from ARB members before finalizing a design and proceeding for Final Approval.

(a) Application: The procedure to request a Preliminary Review, is to file a letter, "Intent to Appear for a Preliminary Review" form with the ARB Administrator. The letter or form must be received at least five (5) working days prior to the next ARB meeting to insure placement on the agenda. Information received must identify the proposed project's location, lot and block, describe its nature and extent to which this design differs from the Design Guidelines. It should also indicate the type of feedback the Applicant is seeking.

(b) Supplemental Materials: Submit sketches, photographs, narratives, references and other materials as necessary to clarify design intent of the project. Data concerning the property portrayed on site plan drawing and information required on the Site Survey Plan form would be helpful to visualize final design parameters. Schematic drawings of exterior elevations, plus any other sketches, references, etc., are helpful to convey a clear idea of the appearance of the proposed project.

Three or more copies of each submittal item should be provided by the Applicant to the ARB for the Preliminary Review meeting. One copy of each submittal item will be retained for ARB records.

(c) Meeting Discussion: Applicant will be asked to describe his proposed project integrating information given on the letter of "Intent to Appear for the Preliminary Review" and appearing or referenced on materials brought to the Preliminary Review meeting. The Applicant and the ARB members will then enter into a general discussion wherein members of the ARB are expected to supply comments and design advice relative to the feedback desired by the Applicant. In the Preliminary Review, no specific approval or rejection action is taken by the ARB.

2.4 Final Review.

The Final Review is the procedure that leads to the official written consent of the ARB, required by the *Declaration* to construct, alter, add to or maintain any improvements of any size or nature whatsoever within Cedar Creek. The form of the written consent is the stamp of "Approval", on the final set of submitted drawings and issuance of the Cedar Creek Construction Permit. Following issuance of the Cedar Creek Construction Permit, Applicant is required to obtain an Aiken County Building Permit.

(a) Application: File the "ARB Application" form, \$100 administrative processing fee, required Final Review submittals and one thousand dollar (\$1,000) Builders' Escrow Compliance Deposit with the ARB Administrator. The submittals are placed on the ARB meeting agenda. Should any portion of the escrow monies be applied to violations or work not completed by the Builder they are immediately forfeited. Additionally, the Builder must deposit additional funds to assure compliance with maintaining the \$1000 Escrow Fund requirement. Failure to do so will result in rescinding the appropriate Cedar Creek building permits. The form is provided by the Cedar Creek Office and must be received at least five (5) business days prior to the next ARB meeting to insure placement on the agenda (by close of business on Wednesday prior to a Wednesday ARB meeting).

(b) Required Submissions: The following property data to include: project plans, drawings, specifications and supplemental information is required. A minimum of three copies of all submittals are required. Upon approval, one copy will be returned. Architectural Drawings are only submitted with architectural projects as follows:

- (1) ARB Application Form
- (2) ARB Lot Survey Request Form
- (3) Site Survey and Plan Drawing: Prepare to scale all existing site

features including:

(i) All frontage roads, existing limits or road clearing, distances from existing edge(s) of adjacent amenity clearing(s), distance from nearby amenity features (i.e. golf course tee or greens) if within fifty (50) feet of the real property line, golf course out-of bounds line and/or golf cart paths adjoining the property;

(ii) All property boundary lines.

(iii) Title and name of legal owners and name, address and phone of person preparing survey.

(4) In addition to the listed items on the ARB Lot Survey Form the Site Survey drawing should depict to scale or close to the scale, all proposed improvements to the property including lines of exterior building walls, out falls, decks, driveway, walks and any miscellaneous site pavements, unpaved paths or trails which tie into common area or golf cart paths, exterior lighting, site structures of any kind (i.e. log storage bins), HVAC and/or trash service courts including non-street facing gates, privacy wall(s), pools, fences with gate positions, flag poles (6 foot maximum length) attached to buildings or trees, any site element to be secured to the ground (i.e. large site sculpture, bench, etc.), and the material and color specifications for all the above.

Also, show solar orientation (north arrow), building setback lines, site access, provision for guest parking, site grading and drainage highlighting areas of

fill greater than six (6) inches, proposed drainage for any open atrium, significant views, areas on and off site requiring special landscape screening and any proposed construction phasing.

(5) Architectural Drawings: Prepare at ¼" – 1'-0" in scale floor plans, elevations of every portion of every exterior wall including the garage, and roof ridges and peaks diagram. Graphically depict and label all materials sections for roof trim, siding, chimney and chimney cap, entry steps, and foundation. In addition, label any second floor height, and the highest roof ridge or peak height, above finished floor (AFF). Include architectural details for exterior windowsills, shadow line elements, etc., as necessary or desirable for clarity and understanding.

Compute and place on the floor plan, total enclosed heated and air-conditioned area in square feet, stated by floor in the case of multi-floored residences, and measured from the outside of exterior walls to the outside of exterior walls. Do not include stairways more than once except for that part of space under stairs that is finished with drywall.

Submit **three (3) complete sets** (Showcase Homes require (4) sets) of construction drawings to the ARB. Plans must include:

- Foundation plan
- Floor plans for each level of the house
- Front, side and rear elevations
- Exterior building material details

(6) Landscape Plan: Prepare to scale on a copy or overlay of the Site Plan showing the location, bounds and sizes for all plant materials, mulches, planting, landscape lighting, fountains, pools, fences, approved home number signs, site structures and sculptures, irrigation, and dispersal of roof drainage. Depict by a separate listing either on the landscape plan or a detached sheet, all plant materials including trees, shrubs and ground covers that relates to the plan symbol with specified plant size, botanical name and/or common name and quantity used. (See Section 10.06 Architectural Standards and Uses for more information). Application for ARB approval along with three (3) copies of the Landscape Plan must be received by the ARB Administrative Assistant at least five (5) business days prior to the next ARB meeting to insure placement on the agenda (by close of business on the Wednesday prior to a Wednesday ARB meeting). Other than final grading, work may not begin until the landscape plan has been approved by the ARB.

All landscape plans will include annotation of initial landscape and if subsequent landscaping is planned for future installation by the Property Owner a separate set of landscape plans with only the "to be determined" annotated will be required. It is the responsibility of the Builder to supervise and complete the installation of the **initial** Landscape Plan as approved by the ARB. All **initial** landscape and irrigation system installation must be included in the home construction agreement between the property Owner and the Builder and

completed by the Builder or designated agent within thirty (30) days following the issuance of the Certificate of Occupancy permit.

(7) Materials and Colors: Unless specifically waived by the ARB or the ARB Administrator because the materials and/or colors are known to the Board, collect, label and submit physical or picture samples of the proposed exterior site and building materials and finish colors, as follows:

Material Samples: Label name, manufacturer, grade and proposed application of each:

- (i) Pavers
- (ii) Aggregate proposed for exposed aggregate or epoxy bonded paving;
- (iii) Siding;
- (iv) Roofing;
- (v) Typical face brick;
- (vi) Stucco board); and
- (vii) Any other material of significance to the design visible from anywhere off the property.

Color Samples: Label color name, manufacturer, type of finish and proposed application for each;

- (i) Decks;
- (ii) Walks and other miscellaneous pavements;
- (iii) Exterior lighting fixtures;
- (iv) Site structures (if finished wood or other material);
- (v) Service court walls and fences
- (vi) Privacy walls;
- (vii) Swimming pools;
- (vii) Trash Can storage area
- (viii) Siding;
- (ix) Trim;
- (x) Stucco;
- (xi) Garage Door;
- (xii) Chimney (stone, stucco, brick); and
- (xiii) Any other exterior element visible from anywhere off the property.
- (xiii) Fences

(c) Meeting: At its regular meeting, the ARB will be available to meet individually with each Applicant upon request. Following a detailed review, the Cedar Creek ARB will take one of three actions, as follows:

(1) Project Approval: Means all facets of the proposed project appear to comply with the *Design Guidelines* and the Applicant should proceed to lay out the project in the field and construct it as set forth in the application.

(2) Conditional Approval Subject to Specific Modifications: Means the ARB believes the project qualifies for acceptance provided certain cited features of the design are specifically modified as suggested by the ARB, or alternatively, are modified as later suggested by the Applicant and approved by the ARB. Such modification is purely at the discretion of the Applicant, and the Applicant is free to rework the design as he sees fit to overcome the objections of the ARB without following the ARB's specific suggestions. Upon ARB approval of a modified project design proposal, the Applicant should proceed to lay out the project in the field and construct it as required. Conditional Approvals can apply to "LOT SURVEYS", "HOUSE PLANS AND SPECIFICATIONS" and "LANDSCAPE PLANS".

Any changes required by the ARB regarding the site such as planting new trees, construction of a berm, relocation of drives and walks, etc., will be noted on the "LOT SURVEY" form. Such requirements will be set forth as completely and specifically as possible. For example, new trees will be described as type, size (root ball size or trunk diameter or planted height), and location. Berms will be described as to location, dimensions and purpose (i.e. prevention of silt eroding from property). When such requirements(s) are normally performed after completion of the home, permission to proceed with lot clearing and construction may be given by the ARB. The applicant will agree that such requirements will be submitted at a later date.

Any changes required by the ARB regarding the home itself, such as a material or color changes, will be noted in detail on the "HOUSE PLANS AND SPECIFICATIONS" form. Required changes dealing with landscaping, including changes noted on the "LOT SURVEY" form will be noted on the "LANDSCAPE PLANS".

The reason(s) for the Conditional Approval will be entered on the appropriate Application and signed by both the ARB representative and the Applicant and the Owner, if present. Signing will take place at the completion of the site survey or at the ARB approval meeting whichever is appropriate.

It is to be understood that the ARB will consider the Application to be "disapproved" until the condition is resolved to the satisfaction of the ARB. The ARB member(s) will note in writing, including the date, when the condition is satisfactorily resolved and as of that date the Application is no longer CONDITIONALLY APPROVED, but APPROVED.

(3) Project Rejection: Means the ARB believes the project does not comply with the *Design Guidelines*. Generally, rejection results from poor

overall design quality, incompatible design elements or an inappropriate design concept, treatment or architectural style. The ARB will not address interior design issues unless they affect the external appearance of the house.

2.5 Changes After Final Approval

Changes to the approved plans that will affect the appearance of the approved project must be submitted to the ARB for review. Construction need not be delayed unless the change(s) affect current work.

(a) Changes Requiring Approval: Construction changes that require ARB approval include:

- (1) Modification in type of siding (i.e. wood to stucco, horizontal to vertical boards);
- (2) Modification in type of roof (i.e. wood shake to shingles,);
- (3) Addition of second fireplace chimney;
- (4) Change from already approved house siding or site element finish color;
- (5) Addition of major site elements attached to the ground;
- (6) Changes in pavement material;
- (7) Changes in window and door sizes and/or relative proportions;
- (8) Changes affecting ridges and peaks of a roof; and
- (9) Any other change that would have similar effect to appearance to the proposed project.

(b) Changes Not Requiring Approval: Construction changes, which would not ordinarily require ARB review, include the following provided they do not violate the *Design Guidelines*:

- (1) A change in windows from one type to another (i.e. double hung to casement), provided the number and size of windows are the same as shown on the approved house plan.
- (2) A change from semi-transparent to solid stain of the same color, or vice-versa;

- (3) A change in dimension only in house wood siding (e.g. 8" horizontal siding to 6", 12" o.c. vertical batons or grooves to 16" o.c.);
- (4) A change in the pitch of a roof, less than or equal to one (1) foot in twelve (12) feet, providing the change is in compliance with the pitch in 3.02 (h) (1).

If there is a question as to whether a construction change should be reviewed, applicant should contact the ARB Administrator for a determination.

(c) Project File: To avoid possible complications with the ARB, supply the ARB Administrator with a summary list and description in letter form of all changes made to the approved project before or during construction.

2.6 ARB Action Request Form

The ARB Action Request Form is to be used for all items requiring ARB approval, such as tree removals, larger than 4" in diameter, for all hardwood trees and 8" in diameter for pine trees at a point 4' from the ground; satellite dish installations; irrigation well installations; complaints or modifications of any other projects that are altered from prior ARB approvals. All complaints related to the design review process and not a complaint as contemplated by Section 2.01(c) above must be in writing, detailing the issue, location, and include supporting information such as pictures. If the complainant is not identified in the complaint, the ARB WILL NOT review the complaint request. A three (3) member ARB team may be assigned by the ARB chairman to investigate, resolve and/or report recommendations to the full ARB at its next scheduled meeting.

ARTICLE III

DESIGN REQUIREMENTS

3.1 Site design.

Every site is unique, and every feature of the site needs to be considered as an integral part of the total design developed for that site.

(a) Site Plan Organization and Testing: Compose the site elements in a manner such that the completed design blends into the surrounding neighborhood, as well as the natural environment. Setbacks imposed on a property are site specific subject to the minimums and maximums given in the tables under Single Family Home Design. Criteria for establishing setbacks are maximization of views for most people, assurance of a varied but orderly streetscape and assurance of design compatibility with surrounding properties. Compose rear yards to maximize the site's best views, yet simultaneously screen all rear yard development from adjoining neighbors. Respect that which has already been built in site positioning, elevations, setbacks and style. A project should not unreasonably impinge on another lot's primary view.

(b) Grading and Drainage: Plan so as to minimize disturbance to existing trees, keeping in mind that a tree trunk cannot have dirt piled against it in excess of one inch, and that a tree's most important feeder roots grow around the circumference of its canopy's drip line. Cutting, filling on, running over with construction vehicles and equipment or building over this delicate area will potentially harm a tree to a point that it will slowly die. Cutting through this zone, and especially next to a tree trunk for underground service and utility lines, will likewise harm a tree

Maintaining ground level plants in addition to the basic tree cover of each home site preserves the general character of the community and minimizes the amount of supplemental landscaping required to soften the impact of structures placed on the home site. The need for irrigation is also minimized.

Design grading and drainage to minimize the amount of storm water or gutter and roof water runoff which is directed toward an adjacent home site. It is the responsibility of the Builder to insure the implementation of the final grading and drainage plan following home construction. Gutters, downspouts, French drains, berms and swales may be required by the ARB to insure proper drainage. Under no circumstances can grading of any lot accelerate water run-off onto any contiguous lot, common area, street, wetland area or Golf Course Property without written approval from the ARB.

It is the responsibility of the Builder to insure the satisfactory

implementation of the final grading and drainage plan following home construction.

(c) Application: Planting design is the responsibility of the Property Owner. In formulating a plan, retain natural vegetative buffers and transplant existing plants when feasible. Avoid plants which form tight round balls, globes or "cherry drops". Avoid exotic tropical, desert or alpine landscapes. Avoid use of such non-organic ground covers as white stone, synthetic turf or synthetic mulch, however, natural landscape stones may be used as ground cover or walkways with ARB approval. Rubber mulch is not allowed in Cedar Creek.

(d) Irrigation Water Wells: **Ground water wells are permitted and must conform to South Carolina Department of Health and Environmental Control standards. All wells must be located a minimum of seventy five feet (75') from all septic systems including those on adjacent properties. Well placement must be approved by the ARB prior to installation. Well pumps and associated equipment must be concealed from view with artificial rock(s) or other ARB approved cover(s).**

(e) Backflow Prevention Device: The Commission of Public Works requires Backflow Prevention Devices when irrigation systems and wells are installed. The following are the requirements:

(1) Sprinkler system connected to CPW water (backflow required).

(2) Well connected into home water system (backflow required).

(3) Well used for irrigation only and not connected into home (backflow not required).

(f) Site Elements: Conform to the following requirements:

(1) Air Conditioner Compressor(s): For conventional homes, locate within service yards or other totally screened environment. Window mounted or through the wall air conditioners are not permitted.

(2) Decks: Pressure-treated southern yellow pine (SYP) or other recognized exterior wood such as redwood, red or white cedar, cypress or composite decking may be used. Use wood specially treated for ground contact where applicable. Scale, dimension and details must be in compatibility with residence. All deck installation or replacement must have prior approval from the ARB.

(3) Driveway:

- Construction material required is natural colored concrete adjacent to curb and gutter streets. Other materials may be submitted for ARB approval. Driveway edges and turnarounds are normally set back five (5) feet from the

property line; however, in order to meet various requirements for locating the home on the home site, a two (2) feet setback for the turnaround may be approved by the ARB. For side entry and courtyard garages, the minimum width of the driveway in front of the garage doors is thirty (30) feet.

- **Curbing at the driveways may be altered, however, it is owned by the POACC thus requiring ARB approval. When reviewing any request for curb alteration, two(2) ARB members are required. ARB approval/disapproval will be determined on a case by case basis with consideration to water drainage, positioning of home, etc.**

(4) Reflectors: These may be used to mark ends of driveways that are steep or difficult to see, however, must approved by the ARB.

(5) Fences, Gates and Related Screen Walls: All fence installations and/or replacement must have prior approval by the ARB. (See approved fence styles on page 68)

(i) Black Mesh Netting: (Deer Fencing/Netting) and/or monofilament line or electric fences/wires may not be installed to deter deer and other animals from gardens and yards.

(ii) and safety of pets is acceptable. Perimeter flags used for training of pets must be removed within 30 days of installation.

(iii) Swimming Pool Fences: Fences required by building codes for swimming pool installations are allowed on homesites and must be approved by the ARB. Fencing specifications which apply are:

- Must be forty-eight (48) inches in height, as required by South Carolina building codes.
- Must not extend beyond the twenty-five (25) foot rear building setback line.
- Must be black aluminum or wrought iron ornamental fence.

(iv) Fences will be considered on other homesites in accordance with the following specifications:

- Must meet or exceed thirty (30) inches in height but not more than forty-eight (48) inches in height

- Must be attached to the rear and not extend beyond the sides of a house. (For this purpose a service court is not considered part of the house).
- Must be perpendicular to the rear of house but must not extend beyond the twenty-five (25) foot rear building setback line
- Must be black aluminum or wrought iron ornamental fence.
- Fences bordering the golf course must provide an access gate which may be latched, but not locked, for golfers to retrieve errant shots.

(v) All fences installed prior to June 10, 1999 will be permitted as originally approved by the ARB. The maintenance and care of these fences is the responsibility of the property owner(s) of each and shall include:

- Replacement of all warped, broken, cracked, sagging or otherwise deteriorating wood pickets, posts or rails.
- Proper sealing of all treated wood to prevent aging, fading and discoloration and to insure an appearance resembling, as closely as possible, that at the time of the original installation.
- Insuring all fence members are true, level, plumb and properly attached at all times.

Failure to comply with these maintenance standards may result in either the repair or removal of the fence at the owner's expense. Other than routine maintenance, replacement of existing fences must comply with any newly enacted fence policy and specifications.

The white vinyl picket fence erected at the front property boundaries of home sites located in the community of Carriage Run will be permitted and maintained as specified by the covenants governing this area.

(6) Flag Poles: A single flag pole no greater than six (6) feet in length with a flag pole holder may be attached to a home or tree on the Owner's property. Stand-alone flagpoles are not permitted.

(7) Lighting on Exterior: Allowed for safety, general appearance and site accent. Flood lights, path lights, accent lights, porch lanterns and front walk/driveway pole lamps no greater than seven feet (84") in height, may be used. Precautions should be taken to avoid light glare into adjacent properties.

(8) Mail Boxes: Cedar Creek Development Corporation will provide and install a mailbox and stand to each home issued a Certificate of Occupancy by the Aiken County Building Code Administration Office. Following initial installation, the Property Owner shall be responsible for the maintenance, repair and/or replacement. Rusty or damaged mailboxes and/or posts must be

painted, repaired or replaced. No decals or signs are permitted on the mailbox or the mailbox post, except a reflective decal indicating newspaper delivery may be placed on the mailbox or receptacle below the mailbox.

(9) Miscellaneous Pavements and Walks on Homesite: Must be included in the initial landscaping plan and any subsequent modifications for ARB approval.

(10) Fountains, Sculptures, and Ornaments: In order to maintain the appearance of the Cedar Creek Community, while at the same time permitting property owners the flexibility to have decorative objects around the home that are aesthetically pleasing, the following guidelines are established. Unless previously approved by the ARB, as required, these guidelines apply to all existing properties as well as new properties.

- Property owners may have one of the following in the front of the house and one of the following at the rear of the house. ARB approval is required.

Water Features: Water features must be incorporated into the landscape setting and be of a size and location that is appropriate for the size and setting of the house.

Fountains: Typically fountains are no more than 4 or 5 feet in height with a bowl diameter between 24" and 30".

- Property owners may also install one of the following items in the front of the house and at the rear of the house. ARB approval is not required.

Sculptures, Statues, Sundial, Birdbaths, or Jockeys: Must be not more than three (3) feet in height, located in a landscaped setting, and located within 15 feet of the home. Gazing Balls and Pink Flamingos are not allowed.

- Property owners may install an arbor or trellis along the side or rear of the house, providing the color is white, black, or stained natural. The arbor or trellis must be properly maintained. ARB approval is not required.
- In addition to the above options, property owners may install the following items in the front and rear of the house. ARB approval is not required.

Small Ornaments or Lawn Art: Small items, providing they are less than 18 inches in height, and are in good taste.

Any item or object not covered above must have ARB approval.

(11) Service Court: Required for all home sites. Heat pumps, air conditioning compressors, irrigation controllers, trash containers and any item stored outside except firewood or logs are to be kept within the totally screened brick service court. Service courts must have a concrete slab and a concrete walkway or flag stones from the service court to the driveway or garage service door. Enclosures not used for a trash container do not need a concrete slab or sidewalk unless the owner desires one. Brick wall design must be solid and/or basket weave in style and a minimum of fifty one inches (51") measured from the interior concrete slab and not to exceed sixty six (66") total height to provide approximately six (6) inches above the top of the HVAC unit and trash container to entirely shield equipment from view. Gate design must be between 36" and 42" wide constructed of pressure treated, cedar lumber or metal construction. Wooden gates must be stained an appropriate color to compliment the surrounding brick color. Metal gates must be painted black and must face the rear or side of the property. For detailed Service Court Specifications see Appendix 5.01.

(12) Signs: No sign or poster of any kind is permitted anywhere within the Development except as provided by Section 10.13 of the Declaration and herein, including realty, for sale by owner, owner name, house name, Builder identification, and home site number.

Exceptions to this requirement are:

- the Cedar Creek buyer identification sign;
 - one "Open House" sign may be placed in front of a "For Sale" home on the day of an open house.
 - the temporary construction/home site identification sign;
 - the permanent home street identification marking;
 - the permanent mailbox markings; and
 - home security system sign not more than twelve (12) inches in diameter or twelve (12) inches square and located a minimum of five (5) feet from the curb.
 - home identification markings as specified in paragraph 3.02 (o)
- (2)

All of the above shall exactly correspond to the specifications stipulated and adopted by the ARB Permission for the temporary construction/home site identification sign does not extend to subcontractors, remodeling or landscape work.

To insure uniformity, Cedar Creek Development Corporation will provide the temporary construction home site identification sign for Builders participating in the Cedar Creek Builder Showcase Program upon issuance of a Cedar Creek Building Permit. Signs provided by any other source will not be permitted.

(13) Miscellaneous Site Structures: Outbuildings such as storage, tool or garden sheds, playhouses or tree forts may not be constructed. Awnings are not permitted. Firewood storage bins and railroad tie retaining walls may be constructed if approved by the ARB. Gazebos and pergolas may be considered

by the ARB, provided structure is located in the rear area of the home and does not extend beyond the sides of the home. (For this purpose a service court is not considered part of the house).

(14) Swimming Pools: In-ground swimming pools are permitted. Pool pump equipment must be screened with brick enclosure (see #11 – Service Court) to shield from view. Above ground pools are not permitted. Swimming pools, decking and fencing cannot extend beyond the sides of a house (for this purpose, a service court is not considered part of the house). Swimming pools must be fenced (see section 3.01 (f) (5) (iii). If spas/hot tubs are included as part of a swimming pool, see Section 3.01 (f)(19) for screening guidelines.

(15) Trash Receptacle Storage: Must be stored out of view from anywhere on the property in a trash container storage area or in the garage. Placement on the curb before pick-up may only occur after 5:30 p.m. the night before the day pick-up is scheduled. Return to storage area before 7:30 p.m. the same day. Trash shall be packaged in standard trash bags of material and strength sufficient to contain trash therein without ripping or tearing. Animal-strewn trash or garbage shall be picked up immediately.

(16) Playground Equipment: Must be constructed of natural material such as pressure-treated southern yellow pine (SYP), or other recognized exterior wood, such as redwood, red or white cedar, or cypress. Structures must be stained and maintained to blend as inconspicuously as possible from surrounding views. No brightly colored awnings, canopies, slides and/or swings may be erected. Scale dimension and detail must be compatible with residence and approved by the ARB. **Basketball backboards may not be attached to any part of the home structure or permanently installed anywhere on the home site. Portable basketball backboards are permitted, however, must be put inside of garage when not in use. Backboards permanently installed prior to 2010 may remain.**

(17) Recreation Vehicle and Boat Storage: All property owners' recreation vehicles (RVs) and boats must be stored in the vehicle storage area or off the property. A boat or a RV may be temporarily kept or stored completely in a driveway or parking pad on a home site for not more than 24 hours within

each seven (7) day period with the exception of emergency situations following notice/request to Cedar Creek Management Office.

(18) **Landscaping Requirement This requirement pertains to ALL lots whether single homeowner sites, or “merged lots.” Merged lots (lots purchased and incorporated into an adjacent improved lot to form one large lot) must meet this landscaping requirement within six (6) months of the date of this merger. Effective March 1, 2006, sod is required on all lots at a minimum of 80% of total street(s) frontage and can be between 5 ft. and 10 ft. from the curb to allow for contouring and/or planting beds. Corners of the driveway entrances, up to 10 ft. wide by 10 ft. deep, may be planted with shrubs, flowers as long as the plantings do not exceed 4 ft. in height for safety reasons. Grass natural mulch, ground cover or a combination may be used in these areas. Small plantings around utility boxes are allowed, but easy utility worker access must be preserved. All of the above, including location of grass areas requiring sod, must be included with landscaping plans submitted for formal ARB written approval. This applies to merged lots as well. **Merged lots can represent unique challenges to fulfilling the 80% sod requirements, especially if irrigation is not possible. In these situations, the ARB may grant a variance (ref: 3.03 of Design Guidelines) on a case by case basis to allow use of pine straw, mulch and/or plantings as an alternative to the 80% sod requirement. Meeting(s) with an ARB member prior to submission of landscaping plan is recommended.**

Lots bordering the golf course, cart paths and common areas such as parks and ponds shall be landscaped to ensure the view from the golf course, cart path or common area is consistent with the view from the front of the home and comparable in terms of number and quality of plantings.

Shrubbery must be planted around the complete perimeter of the house, except in front of screened areas such as Service Courts or other required screened areas. Except for ground cover, the minimum size for shrubs is three

(3) gallons and there must be at least six (6) shrubs that are seven (7) gallons or more that are planted in the front of the house. When required by the ARB, buffers must be planted on the outer perimeter of the lot. (If lot is bordered by wetlands or greenspace, the side of the house bordering said areas is not defined as “initial landscaping”). Furthermore, if plantings are better used in the front and sides to improve streetscape views, the ARB may approve replacement of initial perimeter plantings in rear for front or side streetscapes. Rear perimeter planting must be included in Final Landscape Plan. Shrubs and bushes planted within five (5') feet in front of windows should not cover the windows and generally not be higher than the window sills.

Improved lots, **including merged lots**, must be cleared of brush, vines, undergrowth, weeds, and debris. The cleared areas from the front of the house to the street and from the side of the house to the street, if there is a

street on the side of the house, must be mulched with fallen leaves, pine straw, or other approved mulch material or maintained ground cover. At a minimum the remainder of the lot must be cleared of brush, vines, undergrowth, weeds and debris and must be maintained in that condition. The landscape plan must identify these areas as “ML” (Minimally Landscaped). Any landscaping alterations to the merged lot other than “ML” must be submitted to the ARB for review and approval prior to commencement of work.

One possible exception of “Landscaping Requirements” is a lot, or merged lot, which also has a street behind the house. These lots will be treated on a case by case basis by the ARB.

(19) Hot Tubs/Spas: May be installed for private enjoyment by residents of a home site. ARB approval is required for all installations. Installation may be installed several ways including:

- Above ground, on a concrete slab
- Above ground, on a deck
- Below ground, as part of a swimming pool
- Sunken into a deck

Screening of the hot tub/spa from viewing off the property may be required. Screening must be approved by the ARB and may include the following:

- Opaque fencing around the hot tub/spa (at least twelve (12) inches above the top of the hot tub/spa when installed) with landscaping (evergreens) around the exterior of the fencing
- Landscaping (evergreen bushes at least twelve (12) inches above the top of the hot tub/spa when installed)
- If hot tub/spa is sunken into a deck, the undersides of the deck must be screened as well as the part of the hot tub/spa above the deck
- Gazebo enclosure

(20) Hose Reels: When not in use hose and hose reels must be stored in a location where other residents cannot see them. Self-contained reel boxes may be used on the sides or rear of homes.

(21) Retractable Awnings: Retractable awnings are permitted to be installed at the rear of the residence with the following conditions:

- Must be of “Sunsetter” or equivalent or better quality.
- Must be of the material and earth tone colors that complement the residence and the neighborhood.
- Must be retracted in the stored position when not required for shade and cooling.
- Proposed design, size and location on residence must be

submitted to the ARB for approval.

(f) Materials and Colors: Complement the residence, site and neighborhood. Site elements such as service courts, fences and retaining walls shall coordinate with or match the finish materials and colors of the main structure.

(g) Utility Easement: Landscaping approved by the ARB, placed within an easement by a Property Owner may be disrupted by a legitimate user of the easement. The legitimate user of the easement is expected to exercise reasonable care in landscape removal so that the plants may be used again. Plant survival is not guaranteed.

(h) - Improvements to Vacant Home Sites: Other than the removal of brush and small trees as covered in the Covenants (10.07) and Design Guidelines (2.06), improvements to a vacant home site may not be done without obtaining ARB approval. Before any changes or improvements can be made to a home site, a Site Plan and/or Landscaping Plan must be submitted and approved by the ARB prior to any improvements. In the situation where a property owner owns the home site adjacent to their home, an integrated landscape plan may be considered by the ARB within the following guidelines:

- (1) Removal of certain trees, beyond those covered in the above paragraph, may be considered, including removal of some pine trees to permit growth of hardwoods, but ARB approval is required before they are removed.
- (2) Buildings, sheds, swimming pools, swings, swing sets, playground equipment, fences, flagpoles, and statues are not permitted on individual lots.
- (3) A water feature may be considered, however, ARB approval is required.
- (4) The Site Plan must identify any grading that is to be done including the location of any silt fences.
- (5) The 80% sod or seeding rule along the curb does not apply to unimproved home sites.
- (6) The property owner is responsible for maintaining trees, shrubs, hedges, other plantings, any grass, and mulch shown on the landscape plan as well as removal of weeds.

3.2 Single Family Home Design.

All new and renovation design must be architecturally compatible with existing home construction. Meeting the following common design criteria assures this objective. Home design shall be subject to the following requirements:

- (a) Home Placement: Location of home on lot to be approved by ARB
- (b) Placement on homesite: Place home within limitations as follows:

- (1) Relation to Street: Homes do not have to be placed square with the street or setback lines.

- (2) Combining Home sites: A single conventional home is permitted to be placed in the center of two conventional home sites that have been combined.

- (c) Foundation Requirements: The average elevation of natural grade beneath the home shall be calculated by adding the heights above grade of every exterior corner of the home and dividing by the total number of measurements taken.

- (1) Conventional Home: **Sub-floors may be slab, raised slab, crawl space, or basement.** Open areas under elevated homes shall be screened in the front and rear with lattice or louver panels, beams or continuous curtain wall infill.

- (d) Garages and Detached Structures: A garage is required for every single-family home site. It may be attached, front, **courtyard, modified courtyard (canted)**, side or rear loading as allowed by covenants governing each section of the community. **Modified courtyard garages require individual decorative doors for each bay.**

Mechanical and automatic openers are required for garage doors. Main Garage Door Screens are not permitted.

No other enclosed detached structures are permitted, including guesthouses. Open garden structures are subject to ARB approval.

Apartments over garages must be directly accessible from heated and air conditioned space of the main house.

- (e) Utilities: All services to the home shall be underground. Above ground propane tanks are not permitted other than a nominal 20 pound cylinder for an outdoor use.

- (f) Antennas: Conceal or screen all antennas to minimize view from the street or other areas off the property. Antennas for transmission purposes to include Frequency Modulation (FM), Citizens Band (CB) and/or short wave radio antennas are not permitted.

- (g) Satellite Dishes: Satellite dishes measuring no more than 32" in diameter are permitted. Installation should be on the rear or side of a home whereby the dish is not visible from the road or public view. In the event this is not possible, the dish should be placed in the least obtrusive location possible

using landscaping to screen the antenna retaining the neighborhood's aesthetic appeal.

(h) Roof:

(1) Pitch: Extremes in roof pitches for segments of a total roof can have positive results. However, best results will be achieved when the total roof area is pitched at or between four (4) feet in twelve (12) feet, (the minimum pitch), and ten (10) feet in twelve (12) feet. Extreme pitches should be limited to fifteen (15%) percent or less of the total roof area. The roof pitch over a screened porch maybe three (3) feet in twelve (12) feet. Flat roof pitches are not permitted.

(2) Attachments: Solar panels, roof windows, skylights, etc. may be used when coordinated with the overall design and architectural expression of the roof and total home and approved by the ARB. Roof-mounted mechanical equipment is not permitted.

(3) Materials: Use asphalt shingles rated 235 lbs. or more per square for the primary roof. Wood shingles, shakes, slate, **metal copper, or tile** may be used for accent roofs, bay windows, **dormers, screened porches or a shed roof, (Copper may be used on bay windows and dormers), etc.,** however, requires ARB approval. **Metal roofs (black, dark green, dark brown, or dark gray) may be approved for areas approved for development subsequent to March 15, 2010.**

(4) Roof Penetrations: Paint vents, exhausts, etc. black or to blend with the color of the roof.

(5) Gutters: Provide gutters or other water capture and diversion device, and drainage structures for conventional homes sufficient to eliminate roof runoff from crossing any property line.

(i) HVAC Equipment: Heating and air conditioning equipment must be shielded from view of the golf course and/or street. Brick wall design must be solid and/or basket weave in style and constructed of brick the same type as the foundation. The wall should be a minimum of fifty one inches (51") measured from the interior concrete slab and not to exceed sixty six (66") total height to provide approximately six (6) inches above the top of the HVAC unit and trash container to entirely shield equipment from view

(j) Chimney: A chimney is not required; however, including as part of the architectural design is encouraged. A fireplace need not be included.

(k) Architectural Style: Shall not be prescribed, but homes must impart the feeling that they belong at Cedar Creek and conform to the traditional architecture of the area and the South Carolina countryside. Wide, heavy roof overhangs; moderate roof pitches; ample porches, decks or verandas; natural materials; and details scaled to the human body develop this feeling.

(l) Repetitive Designs: Some house designs may not be approved for

a particular home site because of too close similarity to homes in the immediate neighborhood. Home site owners should make themselves aware of all homes in the surrounding neighborhood to avoid any such difficulty.

(m) Materials and Colors:

(1) Materials: Use natural materials such as wood, stucco and brick for their blending quality with the surrounding environment. Although manufactured facsimiles of natural materials are generally not approved, certain manufactured composition products may be permitted after the review of samples by the ARB. If brick is used, it must be brick of color and size approved by the ARB. Insure roofing materials are compatible with overall finish materials.

(2) Colors: The dominant stain or paint color for any project should be one found on the property, or directly complementing traditional architecture or the natural colors found on the property. These colors will generally be some form of earth tones, weathered grays and greens, off-whites or neutral colors. Highlight colors for the shutters and front doors should complement the dominant house color. Deviations from this require ARB approval.

Finish gutters and down spouts should act as a design element in a trim color scheme consistent with that of the building.

(3) Window Treatments: Drapes, shutters, blinds, (venetian or other type), etc. shall be lined or finished with the same white or very light neutral color across all four facades. No foil or other reflective material shall be used for sunscreens, blinds, shades or other purposes. Window mounted air conditioning units are not permitted.

(n) Water Saving Fixtures: Meet the following maximum ratings developed at a line pressure of at least 60-psi:

- Toilet, Tank Type : 3 ½ gallons per flush
- Toilet, "Flushometer" Type : 3 gallons per flush
- Shower Heads : 2 ½ gallons per minute
- Kitchen / Bath Sinks & Shower Heads : 2 ½ gallons per minute

(o) Home Identification Markings:

(1) Current lawn markers will be grandfathered unless a complaint is received, in which case, resolution of complaint will be in accordance with Section 2.01

(2) Lawn markers will be of the Arch Marker design and will only include the street address.

a) Sizes: Estate 23.14" x 14", Standard 15.75" x 9.25", or Petite 8" x 4.75"

b) Color will be dark green or black with gold letters and borders.

(p) **Communities:** The following are the minimum requirements established for each of the various Communities within Cedar Creek.

Please note all building setback minimums are measured from property lines.

(1) Champions View (Lots 1-9)

Minimum Requirements:

- Total heated and air conditioned space (Note #1) :1,100 square feet
- Main house front setback :35 feet minimum
- Garage front setback :35 feet minimum
- Main home rear setback :25 feet minimum
- Side yard setback :10 feet minimum
- Covered parking (garage) :2 cars minimum

Maximum Permitted:

- Number of stories :1 plus bonus room
- Height of home (Note #2) :27 feet
- Home site coverage by all structures greater than five (5) feet above finished grade :30% of home site

Specific Features:

- Brick exterior
- Architectural asphalt shingles
- Attached garage - front, side or rear entry

(2) Carriage Run (Phase 1, Section 3, Lots 1-34)

Minimum Requirements:

- Total heated and air conditioned space (Note #1) :1,500 square feet
- Main house front setback :30 feet minimum
- Garage front setback :30 feet minimum
- Main home rear setback :25 feet minimum
- Side yard setback :10 feet minimum
- Covered parking (garage) :2 cars minimum

Maximum Permitted:

- Number of stories :2 ½
- Height of home (Note #2) :35 feet
- Home site coverage by all structures greater than five (5) feet above finished grade :30% of home site

Specific Features:

Premium vinyl siding or brick exterior (gables & dormers may be siding)

-
- Brick veneer foundation to grade
- Architectural asphalt shingles, wood shakes, slate tile or standing seam metal
- Extreme pitches limited to 15% or less of total roof area
- Attached or detached garage - front, side or rear entry
- Minimum 7 feet wide front porch at front of house
- First floor ceiling height of 9 feet

(3) On Golden Pond (Section 1, Lots 1-19)

Minimum Requirements:

- Total heated and air conditioned space (Note #1) :1,500 square feet
- Main house front setback :35 feet minimum
- Garage front setback :35 feet minimum
- Main home rear setback :25 feet minimum
- Side yard setback :10 feet minimum
- Covered parking (garage) :2 cars minimum

Maximum Permitted:

- Number of stories :1 plus bonus room
- Height of home (Note #2) :27 feet
- Home site coverage by all structures greater than five (5) feet above finished grade :30% of home site

Specific Features:

- Brick exterior
- Architectural asphalt shingles
- Attached garage – front or side entry
- Home design must be architecturally compatible with “Club Home” design

(4) On Golden Pond (Section II, Lots 1-4)

Minimum Requirements:

- Total heated and air conditioned space (Note #1) :1,800 square feet
- Main house front setback :35 feet minimum
- Garage front setback :35 feet minimum
- Main home rear setback :25 feet minimum
- Side yard setback :10 feet minimum
- Covered parking (garage) :2 cars minimum

Maximum Permitted:

- Number of stories :2½
- Height of home (Note #2) :35 feet
- Home site coverage by all structures greater than five (5) feet above finished grade :30% of homesite

Specific Features:

- Brick, stucco, stone, wood, or Hardiplank siding exterior
- Architectural asphalt shingles
- Attached or detached garage – front or side entry

(5) Summit Hills - (Estate Section- Phase 1, Section 2, Block H, Lots 11-14,16,18-20, 22-27) Block J, Lots 17,18, 20, 21)

- Height of home (Note #2) :35 feet
- Home site coverage by all structures greater than five (5) feet above finished grade :30% of home site

Specific Features:

- Brick, stucco, stone, wood, or Hardiplank siding exterior
- Brick veneer foundation to grade
- Architectural asphalt shingles, wood shakes, slate tile or standing seam metal
- Extreme pitches limited to 15% or less of total roof area
- Attached or detached garage - front, side or rear entry

(6) Summit Hills (Phase 1 - Section 1, Block B, Lots 19-22, Block D, Lots 12-22, Block F, Lots 1-62, Block G, Lots 1-25)

Minimum Requirements:

- Total heated and air conditioned space (Note #1) :1,800 square feet
- Main house front setback :35 feet minimum
- Garage front setback :35 feet minimum
- Main home rear setback :25 feet minimum
- Side yard setback :15 feet minimum
- Covered parking (garage) :2 cars minimum

Maximum Permitted:

- Number of stories :2 ½
- Height of home (Note #2) :35 feet
- Home site coverage by all structures greater than five (5) feet above finished grade :30% of home site

Specific Features:

- Brick, stucco, stone, wood, or Hardiplank siding exterior
- Brick veneer foundation to grade
- Architectural asphalt shingles, wood shakes, slate tile or standing seam metal
- Extreme pitches limited to 15% or less of total roof area
- Attached or detached garage – side or rear entry

(7) Summit Hills (Phase 1 - Section 2, Block H Lots 4-5, 7-8, 10, 28, 30-33, Block J, Lots 1-8, 10-11, 14-16, 22-27, Block K, Lots 1-3, 5, 7-11)

Minimum Requirements:

- Total heated and air conditioned space (Note #1) :2,200 square feet
- Main house front setback :35 feet minimum
- Garage front setback :35 feet minimum
- Main home rear setback :25 feet minimum
- Side yard setback :15 feet minimum
- Covered parking (garage) :2 cars minimum

Maximum Permitted:

- Number of stories :2 ½
- Height of home (Note #2) :35 feet
- Home site coverage by all structures greater than five (5) feet above finished grade :30% of home site

Specific Features:

- Brick, stucco, stone, wood, or Hardiplank siding exterior
- Brick veneer foundation to grade
- Architectural asphalt shingles, wood shakes, slate tile or standing seam metal
- Extreme pitches limited to 15% or less of total roof area
- Attached or detached garage - side or rear entry

(8) Whisper Woods (Phase One-A - Lots 1-5)

Minimum Requirements:

- Total heated and air conditioned space (Note #1) :1,500 square feet
- Main house front setback :30 feet minimum
- Garage front setback :30 feet minimum
- Main home rear setback :25 feet minimum
- Side yard setback :10 feet minimum
- Covered parking (garage) :2 cars minimum

Maximum Permitted:

- Number of stories :2 ½
- Height of home (Note #2) :35 feet
- Home site coverage by all structures greater than five (5) feet above finished grade :30% of home site

Specific Features:

- Brick
- Brick veneer foundation to grade
- Architectural asphalt shingles, wood shakes, slate tile or standing seam metal
- Extreme pitches limited to 15% or less of total roof area
- Attached or detached garage - side or rear entry

(9) Whisper Woods (Phase One - Lots 6-21)

Minimum Requirements:

- Total heated and air conditioned space (Note #1) :1,500 square feet
- Main house front setback :30 feet minimum
- Garage front setback :30 feet minimum
- Main home rear setback :25 feet minimum
- Side yard setback :10 feet minimum
- Covered parking (garage) :2 cars minimum

Maximum Permitted:

- Number of stories :2 ½
- Height of home (Note #2) :35 feet
- Home site coverage by all structures greater than five (5) feet above finished grade :30% of home site

Specific Features:

- Brick
- Brick veneer foundation to grade
- Architectural asphalt shingles, wood shakes, slate tile or standing seam metal
- Extreme pitches limited to 15% or less of total roof area
- Attached or detached garage - side or rear entry
- Sewer tap fee: \$600 with monthly sewer maintenance fee of \$10

(10) Whisper Woods (Phase One - Section 3- Block A, Lots 36-40, Block C Lots 1-17)

Minimum Requirements:

- Total heated and air conditioned space (Note #1) :1,800 square feet
- Main house front setback :30 feet minimum
- Garage front setback :30 feet minimum
- Main home rear setback :25 feet minimum
- Side yard setback :10 feet minimum
- Covered parking (garage) :2 cars minimum

Maximum Permitted:

- Number of stories :2 ½
- Height of home (Note #2) :35 feet
- Home site coverage by all structures greater than five (5) feet above finished grade :30% of homesite

Specific Features:

- Brick
- Brick Veneer foundation to grade
- Architectural asphalt shingles, wood shakes, slate tile or standing seam

metal

- Extreme pitches limited to 15% or less of total roof area
- Attached or detached garage – side or rear entry
- Sewer tap fee: \$600 (Lots 10 – 13C and 36A)
- Monthly sewer maintenance fee: \$10 (Lots 10 – 13C and 36A)

(11) Whisper Woods (Phase One - Section 3- Block A, Lots 1-18, Block B, Lots 1-18)

Minimum Requirements:

- Total heated and air conditioned space (Note #1) :2,200 square feet
- Main house front setback :30 feet minimum
- Garage front setback :30 feet minimum
- Main home rear setback :25 feet minimum
- Side yard setback :10 feet minimum
- Covered parking (garage) :2 cars minimum

Maximum Permitted:

- Number of stories :2 ½
- Height of home (Note #2) :35 feet
- Home site coverage by all structures greater than five (5) feet above finished grade :30% of home site

Specific Features:

- Brick
- Brick veneer foundation to grade
- Architectural asphalt shingles, wood shakes, slate tile or standing seam metal
- Extreme pitches limited to 15% or less of total roof area
- Attached or detached garage - side or rear entry
- Sewer tap fee: \$600 (Lots 8 - 18A)
- Monthly sewer maintenance fee: \$10 (Lots 8 - 18A)

Notes: (#1) Heated or air conditioned space shall be measured from outside of exterior wall to outside of exterior wall, counting stairways only once, except for open or closet areas beneath stairs finished with drywall. No screened porches, decks, garages, carports, exterior foyers, open atriums, vaulted space, are included.

(#2) Measured from **Main Finished Floor of Primary Living Space**

(12)) Summit Hills

Minimum Requirements

- Total heated and air conditioned space
 - **Phase II - Section I, Block L**

- Lots 1-5, 16-26, 30-32: 1,800 square feet
- Lots 6-10, 14-15, 27-29 : 2,200 square feet
- Lots 11-13 : 3,000 square feet
- **Phase II - Section II; Blocks M, N & P**
 - Lots M 21-27, N 1-18 and P 1, 2 : 1,800 square feet
 - Lots M 1-20 : 2,000 square feet
- **Phase II, Section V, Block R**
 - Lots 1-30, 32m 35,39,44, 52-76 : 1,800 square feet
 - Lots 31,33, 34, 36-38, 40-43, 45-51 : 2,000 square feet
- **Lot 19B**
- **Phase II, Section Two, Block S**
: 1,800 square feet
 - Lots 1-64 : 1,800 square feet
- **Phase II, Section Seven, Block T**
 - Lots T 1-24, 26, 27, 35, 41, 49-51,
 - 55-57, 62-64, 72, 75, 76 : 1,800 square feet
 - Lots T 25, 28-34, 36-40, 42-48, 52-54
 - 58-61, 65-71, 73, 74 : 2,000 square feet
- **Phase One, Section Four**
 - Lot 1 : 2,000 square feet
- **Phase II, Section Eight, Block U**
 - Lots 1-55 : 2,000 square feet
- **Phase III, Section Three, Block W**
 - Lots 1-7 : 1,800 square feet
- **Phase II, Section Nine, Block V**
 - Lots 1-5 : 2,000 square feet
 - Lots 6-13 : 2,200 square feet
 - Lots 14-30 : 1,800 square feet
- **Phase IV, Section II, Block Y**
 - Lots 1-9, 20-27 : 1,800 square feet
 - Lots 10-19, 28-40 : 2,000 square feet

- Set back lines and reserved easements shall be as shown on the recorded subdivision plat.
- Covered parking (garage) :2 cars minimum
- Home Construction - Must choose homebuilder from Showcase Builder Program.

Maximum Requirements

- Number of stories :2 plus Bonus
- Height of home (Note #2) :35 feet
- Home site coverage by all structures greater than five (5) feet above finished grade :30% of home site

Specific Requirements

- Exterior siding must be brick, stucco, stone, wood or “Hardiplank” siding
- Gables and/or dormers may be aluminum or vinyl siding in conjunction with

brick, stucco or stone exteriors. If wood or Hardiplank siding is used, gables and/or dormers must be of the same material
Roofing must be architectural shingles
Garages must be attached with side, court yard or rear entry

Landscaping and Lot Clearing:

- Front right-of-way between curb and property line must be grassed, irrigated and maintained by owner
- All tree removal must be approved by the ARB prior to clearing

(13) Fairhaven, (Phase III - Section I, Lots 1-41)

Minimum Requirements:

- Home Design - Must be selected from *Fairhaven Home Plan Collection* as offered and maintained by Declarant or Architectural Review Board (ARB). The Declarant or ARB may add, delete or modify home designs and floor plans as necessary
- Home Construction - Must choose homebuilder for lot from Declarant specified Fairhaven Showcase Builder
- Total heated and air conditioned space :1,500 square feet
- Covered parking (garage) :2 car minimum

Maximum Permitted:

- Number of stories :1 plus bonus room

Specific Features:

- Exterior finish must be brick
- Gables and/or dormers may be aluminum or vinyl siding in conjunction with brick exterior
- Roof must be architectural asphalt shingles
- Attached garage with front or courtyard entry required on all lots, except side entry may be selected for Lots 1-5, 23-27, 32, 33 and 41. Side entry permitted on any lots with plan #1817 or 1817-SP, (The Kelso).

Landscaping and Lot Clearing:

- Front right-of-way between curb and property line must be grassed, irrigated and maintained by owner
- All tree removal must be approved by the ARB prior to clearing.

Building Setback Lines:

- The building setback lines and reserved easements shall be as shown on the recorded subdivision plat Cedar Creek, Fairhaven, Phase III - Section I.

Home Placement:

- Location of home on lot to be approved by Architectural Review Board.

(14) Turnberry Woods, (Phase II, Section Six, Lots 1-24)

Home Design and Construction:

- Must be selected from *Turnberry Woods Plan Collection* as offered and maintained by Declarant or ARB
- The Declarant or ARB may add, delete or modify home designs and floor plans as necessary
- Must choose homebuilder for lot from Declarant specified Turnberry Woods Showcase Builder.

Minimum Requirements:

- Total heated and air conditioned space : 1,500 square feet
- Covered parking (garage) : 2 car minimum

Maximum Permitted:

- Number of stories : 1 plus bonus room

Specific Features:

- Exterior finish must be brick. Gables and/or dormers may be aluminum or vinyl siding in conjunction with brick exterior
- Roof must be architectural asphalt shingles
- Attached garage with front or courtyard entry required on all lots, except side entry may be selected for Lots 1, 9-11 and 18-24. Side entry permitted on any lots with plan #1817 or 1817-SP, (The Kelso)

Landscaping and Lot Clearing:

- Front right-of-way between curb and property line must include 6-10 feet of grass which will be irrigated and maintained by owner
- All tree removal must be approved by the ARB prior to clearing.

Building Setback Lines:

- The building setback lines and reserved easements shall be as shown on the recorded subdivision plat Cedar Creek Turnberry Woods, Phase II - Section Six.

Minimum Requirements

- Total heated and air conditioned space

(15) Brookshire Meadows (Phase V)

- **Phase V, Section I, Block AA**
 - Lots 1-54, A1-A7 : 1,800 square feet
- **Phase V, Section II, Block AB**
 - Lots 3-50 : 1,800 square feet
- **Phase V, Section III, Block AC**
 - Lots 1-94 : 1,800 square feet
- **Phase V, Section IV, Block AD**
 - Lots 95-160 : 1,800 square feet

- **Phase V, Section V, Block AE** : 2,000 square feet
 - **Lots 1-40, 60**

- Set back lines and reserved easements shall be as shown on the recorded subdivision plat. **(A variance to Aiken County standards may be considered by the ARB).**
- Covered parking (garage) :2 cars minimum
- Home Construction - Must choose homebuilder Showcase Builder Program.

Maximum Requirements

- Number of stories :2 plus Bonus
- Height of home (Note #2) :35 feet
- Home site coverage by all structures greater than five (5) feet above finished grade :30% of home site

Specific Requirements

- Exterior siding must be brick, stucco, stone, wood or “Hardiplank” siding
- Gables and/or dormers may be aluminum or vinyl siding in conjunction with brick, stucco or stone exteriors. If wood or Hardiplank siding is used, gables and/or dormers must be of the same material
- Roofing must be architectural shingles
- Garages must be attached with side, courtyard or rear entry

Landscaping and Lot Clearing:

- Front right-of-way between curb and property line must be grassed, irrigated and maintained by owner
- All tree removal must be approved by the ARB prior to clearing

Building Setback Lines:

- The building setback lines and reserved easements shall be as shown on the recorded subdivision plat for Cedar Creek Brookshire Meadows Phase IV, Sections One and Two.

Minimum Requirements

- Total heated and air conditioned space

(16) Green Hills

- **Lots 1-27.....1,300 square feet**

- Set back lines and reserved easements shall be as shown on the recorded subdivision plat. **(A variance to Aiken County standards may be considered by the ARB).**
- Covered parking (garage) :2 cars minimum
- Home Construction - Must use Green Hills Builder.

Maximum Requirements

- Number of stories :2 plus Bonus
-

Height of home (Note #2) :35 feet

- Home site coverage by all structures greater than five (5) feet above finished grade :30% of home site

Specific Requirements

- Exterior siding must be brick **or stone**.
- **The sides and rear may be stucco, wood, premium vinyl or cement fiber board “Hardiplank” siding.**
- Gables and/or dormers may be aluminum or vinyl siding in conjunction with brick, stucco or stone exteriors. If wood or Hardiplank siding is used, gables and/or dormers must be of the same material.
- Roofing material may be architectural shingles or metal.
- Garages must be attached with front or courtyard entry.

Landscaping and Lot Clearing:

- Front right-of-way between curb and property line will be grassed and irrigated as part of the construction contract. Maintenance will be provided at a fee to the property owner
- All tree removal must be approved by the ARB prior to clearing

Building Setback Lines:

The building setback lines and reserved easements shall be as shown on the recorded subdivision plat.

3.3 Variances, Appeals, and Complaints.

(a) Variances: Variances to design criteria contained in these *Design Guidelines* may be granted only in the following instances:

(1) It is shown that the intent of the Architectural Standards and Use Restrictions as described herein are better met by allowing the requested deviation from standard; or

(2) It is shown that the variance will help achieve an improved design for the proposed project and for the Development than could otherwise be achieved.

(b) Appeals: An Applicant may appeal decisions by the ARB by:

- (1) Submitting a written request for reconsideration by the ARB detailing the reasons for the reconsideration.

- (2) In the event the ARB does not revise its decision upon reconsideration, an appeal of the decision may be made to the Property Owners Association of Cedar Creek Board of Directors. Any such appeal must be in writing and set forth detailed reasons forming the basis of the appeal. The Association's Board of Directors will issue a final decision on the matter at issue.

- (c) Complaints: Written and signed complaints alleging violation(s) of the Covenants within Cedar Creek may be submitted by any property owner to the ARB Administrator for consideration by the ARB. The ARB will determine what action, if any, is to be taken on the complaint in accordance with the procedures established in Section 2.01.

ARTICLE IV

CONSTRUCTION REQUIREMENTS

4.1 Before Construction.

Complete the following requirements before beginning work or authorizing Builders to begin work.

(a) Posting of Permits: All permits required for home construction or renovation, including but not limited to the Property Owners Association of Cedar Creek Building Permit, Aiken County Building Permit, and South Carolina Department of Health and Environmental Control Septic Permit shall be placed in full view on the back side of the temporary construction home site identification sign. Weatherproof permits and maintain for duration of project.

Place emergency telephone numbers and names of at least two construction company personnel within the waterproof covers.

(b) Enforcing Construction Requirements: CCDC General Manager is responsible for enforcing all regulations contained herein. Construction personnel in violation of these requirements will be denied access to the Development.

(c) Security: In order to protect the property owners and guests against undesirable intrusion, theft, or vandalism, the POACC and Cedar Creek Development Corporation reserves the right and full authority to allow or deny any person access into the Development.

(d) Builder Passes: Passes for community access are not required. However, Builders, suppliers, subcontractors and other related construction personnel are considered guests of the project they have been hired to work on. As such, all construction personnel are continually subject to the stipulations of these Construction Requirements and all traffic and safety regulations in effect within Cedar Creek.

(e) Private Construction: General Builders to work directly for a private Property Owner shall, upon request by the ARB, supply evidence of their authority to do so.

(f) Directions: Site directions can be obtained from the Cedar Creek located at 2178 Club Drive.

(g) Commencement and the Term of Construction: The Property Owner, or Builder and his Agent, shall notify the ARB in advance, of the designated construction start date.

(1) Term of Construction: Complete within twelve (12) months after commencement of construction. See Section 10.05 of the *Declaration*.

(2) Commencement of Construction: Commence within six (6) months of date of ARB approval of the plans and specifications for the project. See Section 10.05 of the *Declaration*.

(3) Term of Landscape Installation: Complete within thirty (30) days following issuance of Certificate of Occupancy for related structure. See Section 10.06 of the *Declaration*.

(h) Compliance With Approved Plans and Specifications: Per Section 10.05 of the *Declaration*, representatives or agents of the ARB have the right, but not the obligation, to enter upon and inspect any construction under way, during reasonable hours, to determine whether or not the plans and specifications being followed were "Approved" and if "Approved" plans are being complied with.

If all plans and specifications were not followed, or other than "Approved" plans and specifications were followed, the Applicant shall appear before the ARB to explain the circumstances of non-compliance with the *Design Guidelines*. Following the Applicant's appearance, the ARB shall vote on whether the intent of the *Design Guidelines* was violated or not. If the ARB determines violations have occurred, the differences will be ordered corrected.

Changes proposed during construction as identified herein, must receive ARB approval prior to implementation. Also, should removal of additional native trees become necessary, field review and approval by the ARB is required.

4.2 During Construction.

Conform to the following requirements during construction:

- (a) Working Hours:
- | | | |
|-----------------------|---|-------------------------|
| Monday through Friday | : | 7:00 a.m. - 6:30 p.m. |
| Saturday | : | 7:00 a.m. - 5:30 p.m. |
| Sunday/Holidays | : | Only with signed permit |

(b) Permits: In an extremely urgent or emergency situation, Showcase Builders and/or General Contractors may request a waiver to work past 6:30 p.m. Monday through Friday and past 5:30 p.m. on Saturday but no later than 8:30 p.m. on any day. A waiver for Sunday may be requested; however, work will be restricted to the hours between 9:00 a.m. to 4:00 p.m. Requests for a permit must be submitted to the Cedar Creek office 24 hours in advance of the desired work hours. The permit must be signed by the Cedar Creek Development General Manager or ARB Administrator. The signed permit must be available

and visible at the approved work site.

(c) Non-Work Days: The following days are non-work days, and without exception, construction is not permitted at Cedar Creek during these days or when Nationally observed on the following Monday for example

•Easter •Fourth of July •Thanksgiving •Christmas •New Years

(d) Noise Control: Do not start equipment or pound outside of normal working hours. Shut off construction equipment not in use. Heavy construction noise is not permitted on Sundays or past normal work hours. Motor driven equipment must be equipped with proper mufflers. Radio volume must be maintained at a level that does not disturb neighbors to the work site. Use of radios is not permitted after normal hours or on Sundays.

(e) Dust Control: Insure construction operations do not generate noticeable increases in dust from the project site. Spray operations with water to minimize same.

(f) Erosion Control: IMMEDIATELY after clearing a site for construction and in accordance with the ARB recommendations following submitted site plan review, sediment fences and/or straw bales should be placed in those areas where sediment could potentially leave the site. Timely and proper placement of sediment fences is extremely important for those construction sites that are adjacent to and have an impact on sensitive wetlands. Should a potential or existing erosion problem be identified, the problem must be remedied and all sedimentation onto adjacent properties, streets, and into pipes and storm drains must be removed within a 24 hour period following verbal or written notification by the ARB Administrator or Development staff. After 24 hours of non-compliance all construction permits will be rescinded. All work will cease on the property until sediment fences are properly installed and have been re-inspected by the ARB Administrator or Development staff.

(g) Fire Regulations:

(1) Burning: Heating fires at construction sites are permitted only when contained in a 55 gallon or similar drum and must not be left unsupervised. Open burning of waste and/or debris of any type is strictly prohibited except in extraordinary circumstances as approved by the Board of Directors and ratified by Cedar Creek Development Corporation management.

(2) Flammable Materials: Keep at an absolute minimum and insure such materials are properly handled. Do not store flammable materials on site.

(3) Structure Fires: Structures that have burned shall be totally secured from a safety standpoint as soon as possible, however, no later than

three (3) working days from the date of fire. Completely remove as soon as legally permitted.

(h) Protection of Property:

(1) Resident Safety: Protect curiosity seekers, and against potential lawsuits by covering over openings, and providing barricades, lights, signs, posts, fences, and enclosures to warn of dangerous conditions while the project is unattended.

(2) Adjacent Property: Protect adjacent property from damage of any kind. Construction personnel are responsible for damage and repair caused by construction equipment, vandalized use of construction equipment and employees.

(3) Damage to Common Property: Damage to curbs, streets, cart paths and other common property will be repaired to a condition equal to that before the damage, with the cost thereof charged to the Property Owner and/or Builder.

(4) Tree Protection: Only trees marked and approved for removal by the ARB shall be removed.

(i) Construction Personnel Conduct:

(1) Ingress and Egress: Arrive during working hours only. Access is permitted to the specific construction site only. Travel within the Development is not permitted. Construction personnel will be denied access to the Development on non-work days and outside of working hours.

Common areas and golf course cart path are closed to all vehicles regardless of site access problems.

(2) Job Site: Insure orderly behavior among workers while within the Development. Wear proper attire at all times.

(3) Use of the Golf Club Facilities: The Golf Club facilities are not available to construction personnel.

(4) Speed Limits: Construction personnel are to adhere to the posted speed limits. Violators will not be permitted access to the Development. The South Carolina Highway Patrol, the City of New Ellenton and the Aiken County Sheriff's Department have permission to enforce traffic laws in The Golf Club at Cedar Creek.

(5) Parking: Park construction vehicles and vehicles of construction personnel within the limits of the property. Insure ground level vegetation is not destroyed by such actions.

(6) Storage of Materials: Keep stored materials within the project's property lines in a neatly stacked, clean and organized fashion.

(7) Derelict Equipment: Immediately remove broken down, derelict or non-functioning equipment from the Development.

(j) Dumping:

(1) Development: Dumping sites are not available within the Development, however, a dumpster is provided in the maintenance area for disposal lawn debris only.

(2) Construction Debris Control: A commercial grade dumpster must be provided for all construction sites following site clearing. One per job site is required. Dump as often as necessary to keep the job site reasonably clean on a daily basis. If the Builder does not provide a dumpster in a timely manner, Cedar Creek Development Corporation will do so and the cost will be deducted from the Builder's ARB Escrow Compliance Deposit.

(3) Job Site: Untidy job sites create negative impressions in visitors and property owners. As a result, trash on the site or in open piles is strictly prohibited. Remove crates, cartons, trash and other flammable waste from areas at the end of each working day. Untidy job sites must be cleaned within 24 hours of a verbal or written notification by the ARB Administrator or Development staff. After 24 hours of non-compliance, all construction permits will be rescinded and all construction will cease until the lot is cleaned and re-inspected by the ARB Administrator.

(4) Roadways: Take care that debris is not allowed to fall out and litter the streets or roads.

(5) 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. Builders will be held responsible for insuring concrete suppliers and subcontractors conform to this requirement. If violations occur, the cost for clean up of streets and/or right-of-ways will be deducted from the Builder's ARB Escrow Compliance Deposit.

(k) Sanitary Facilities: A portable toilet must be provided for each job site prior to site clearing. Locate at least twenty-five (25) feet from nearest street, golf cart path and golf course fairway in an inconspicuous location and face the door away

from the street. If the Builder does not provide a portable toilet in a timely manner, Cedar Creek Development Corporation will do so and the cost will be deducted from the Builder's ARB Compliance Deposit.

(l) Temporary Services: Property owner and/or Builder is responsible for arranging temporary service connections during the home construction process.

(m) Potable Water: Contact the City of New Ellenton Water Department.

4.3 After Construction.

(a) ARB Construction Compliance Review: Property Owner, or Builder as his Agent, shall notify the ARB in advance of the date when construction will be completed. An ARB representative or Agent will conduct a final field review of the project to verify that all plans and specifications and only "Approved" plans and specifications were followed.

The construction of the residence must be complete with landscaping and irrigation system installed before the final field review. Additionally, all building and landscape debris from the job site and surrounding area, temporary toilet and temporary power pole must be removed.

Following completion of the final field review, a copy of the Aiken County Certificate of Occupancy Permit must be submitted to the ARB Administrator. Accordingly, an ARB Construction Compliance Certificate will be issued and ARB Builder's Escrow Compliance Deposit refunded minus any charges incurred during the construction process.

ARTICLE V

5.1 Specifications and Details.

(a) Cedar Creek Buyer Identification Sign: To be provided and installed by Cedar Creek Development Corporation following closing and ownership title transfer. The sign is to be located on the street side property line at the center point of the home site, twenty-four (24) inches above the ground level with the face of the sign parallel to the street.

(b) Temporary Construction/Homesite Identification: To be provided and installed by Cedar Creek Development Corporation for Builders participating in the Cedar Creek Showcase Builder Program and located on the street side property line at the center point of the home site, fifty (50) inches above the ground level with the face of the sign parallel to the street. The sign shall display the Builder's name, Property Owner placard and Cedar Creek Building Permit.

This sign will be installed when construction begins and will be removed when the Certificate of Occupancy has been issued by the Aiken County Building Code Administration Office.

5.2 Building Guidelines - Abbreviated Format

As of July 1, 1999 the following guidelines for home construction at Cedar Creek have been implemented by the ARB. The Board reserves the right to require additional submittals and clarifications concerning home design and construction materials as allowed by the original *Design Guidelines*. A copy of these building guidelines will be included with each ARB Application distributed.

(a) Cedar Creek Construction Permit

The following process **must be completed** to obtain approval from the ARB for commencement of construction.

(1) Acknowledge an understanding of the *Design Guidelines and Declaration of Covenants, Conditions & Restrictions for the Property Owners Association of Cedar Creek* by signing the ARB application.

(2) Submit an ARB application. All items **must be completed** before the application to begin construction will be considered.

(3) Submit a \$100 nonrefundable administrative processing fee made payable to the Property Owners Association of Cedar Creek.

(4) Submit a \$1,000 construction compliance deposit made payable to the ARB Builders' Escrow. This deposit will be held until a Certificate of Occupancy is issued and a final ARB Construction Compliance Inspection is completed and approved.

(5) Submit **three (3) complete sets** of construction drawings to the ARB (**four (4) complete sets for Showcase Homes**), appropriate plans must include:

- Foundation plan
- Floor plans for each level of the house
- Front, side and rear elevations
- Exterior building material details

(6) Submit **three (3) copies** of a site plan drawn to scale detailing:

- Property and building restriction lines
- House footprint and location on home site
- Distances house is located from front, side and rear property lines
- Location of driveway, decks, and/or fences
- Location of silt fence to be installed to prevent sediment run-off
- Location of well **Note: All well locations will be in accordance with DEHC regulations concerning proximity to septic systems.**

(7) Request an onsite tree survey following the completion of the following:

- Stake all lot corners
- String line side and rear property lines
- Stake all house corners
- Stake driveway layout
- Mark all trees to be saved with surveyor tape

Note: The natural integrity of each home site will be maintained by limiting the removal of trees to only those areas affected by home, septic system and driveway placement. Additional tree removal will only be considered in conjunction with a completed landscape plan for the entire home site.

(8) Prior to beginning construction, provide onsite:

- A portable toilet
- A dumpster

Note: If the above are not provided by the Builder, Cedar Creek Development Corporation will do so and deduct the cost from the Builder's escrow deposit.

Following completion of the review process, the ARB will return one copy each of the approved building and site plan. A **Cedar Creek Construction Permit** will be issued granting permission for the actual building process to begin provided all other state and county permits have been acquired.

Note: A Cedar Creek Construction Permit will not be issued to anyone other than a Builder possessing a valid South Carolina Builder's License.

(b) ARB Construction Compliance Certificate

To obtain an **ARB Construction Compliance Certificate** and return of Builders' Escrow deposit, the following items **must be completed**.

- (1) Following site grading, submit **three (3) copies** of a landscape plan detailing:
 - Location of house, walks, driveway, decks and fences
 - Location of existing trees affected by landscaping
 - Location of **Minimal Landscaped (ML)**, grass and sod areas
 - Size, type and location of proposed plantings

Note: It is the responsibility of the Builder to supervise and complete the installation of the landscape plan as approved by the ARB. All landscape and irrigation system installation must be included in the home construction agreement between the Property Owner and the Builder and completed by the Builder within thirty (30) days following the issuance of the Certificate of Occupancy permit.

(2) Following approval and return of one copy of the landscape plan, complete final grading and install **all** plantings and irrigation as per plan. It is the responsibility of the Builder to insure the home site is properly graded and drainage concerns are addressed.

(3) Paint all roof penetrations flat black or a color coordinated to match roof shingles.

- (4) Construct a service court to shield HVAC units and trash containers from view of the golf course and street by using:
- Solid brick or brick lattice half-wall constructed of brick the same as the foundation.

(5) Following the completion of construction, site/road clean up, landscaping, and irrigation system installation, request an **ARB Construction Compliance Inspection** and submit a copy of the final Certificate of Occupancy to the ARB Administrator.

APPENDIX

The Property Owners Association of Cedar Creek Architectural Review Board Guide

INTRODUCTION

Welcome ARB Member:

The Architectural Review Board (ARB) is a Cedar Creek resident volunteer organization, appointed by the Board of Directors. The ARB mission is to assure the Community's look remains consistent with the original natural setting concept, yet allow individuality to a Homeowner's property.

The contents of this instructional guide are provided to assist ARB members in carrying out their responsibilities.

The POACC Documents are used as a guide for ARB decisions and should pass a "reasonable test". The ARB has the authority to render decisions that are not always clearly defined within those documents. However, to assure decision consistency, these types of issues need to be reviewed with all the ARB Members and other Community leaders if required. After that review and discussion, the ARB has the responsibility to assure documents are properly amended.

There are many clearly defined covenant use restrictions and Design Guidelines that Homeowners are required to comply with according to an agreement signed when purchasing their property. However, certain non-compliance issues may have been brought about by extenuating circumstances, and therefore requires investigation. After reviewing the issue, the ARB role is to offer a corrective action plan.

Training for new members will be provided as appropriate and members will be required to be familiar with the Covenants, Design Guidelines, and other related documents.

By the very nature of the ARB first hand involvement with Showcase Builder's and Homeowner planning, including landscape design, questions, and non-compliance issues, the ARB Members form a vital resource in helping to preserve and define the future quality of life within Cedar Creek.

The Property Owners Association of Cedar Creek

Architectural Review Board Processes and Responsibilities

In addition to Article X and amendments there to, the following processes and responsibilities for the Architectural Review Board (ARB) are added for clarification.

GENERAL

The Architectural Review Board Committee is comprised of up to seven (7) residents with a Chairman and Vice Chairman elected by the ARB Committee. Additionally, the Declarant or his designee will also appoint an ARB Administrator who will have full voting rights. The ARB Committee will need a minimum of four (4) members of the eligible members for a quorum. Only one member of the ARB Committee needs to sign reviewed documents requiring signatures.

ACTIONABLE ITEMS

- All new home site and house plan reviews including: Lot Survey Form and three (3) copies of the Site Lot plan, House Plan and Specification Application and three (3) copies of Architectural Drawings (four (4) for Showcase Homes) and Application for Approval of Landscape Plan plus three (3) copies of the Landscape Plan.
- Changes to all approved plans or changes that no longer meet Architectural Standards and Use Restrictions (Covenants), Design Guidelines or previously approved waivers.
- All Requests for ARB Action Form items such as tree removal, complaints or other requests requiring action by the ARB Committee.
- Written Requests and consultation for, or the addition of any change to the house structure to an improved property. Minor landscape and irrigation additions do not require ARB Action.
- Written covenant complaints, improvements, suggestions or requests for waivers. All Architectural Standards and Use Restrictions complaint issues will require review and decision of a minimum of three (3) ARB Committee members.
- Amendments to approved Architectural Standards and Use Restrictions or Design Guidelines for Board of Directors and Declarant approval.
- Dismissal of any ARB Committee Member will require recommendation by the majority of the ARB Committee Members and the ratification of the Declarant and Board of Directors.

GENERAL RESPONSIBILITIES

ARB Administrative Assistant

- Receives all inputs for all ARB action items from requestor
- Logs action items into tracking system as appropriate
- Assigns, schedules and maintains status on all ARB Committee action items
- Notifies Declarant, ARB Administrator, or ARB Chairman of action items. When a question arises as to whom the action will go to for resolution, all three will mutually decide
- Reviews Applications for Lot Survey, House Plan and Specifications, and Landscape Plan for administrative completeness (non technical issues)
- Prepares for the ARB Committee Meeting Agenda with input from the Declarant, ARB Administrator, and ARB Chairman as necessary
- Sends out all ARB Committee decision letters via ARB Administrator or ARB Chairman
- Maintains ARB files of all approvals and correspondence affecting Cedar Creek home sites
- Keeps minutes of the ARB meetings

ARB Members

- Perform and approve new home site lot survey plans using New Lot Survey Form criteria and the New Lot Survey Checklist, Architectural Standards and Use Restrictions and the Design Guideline criteria as necessary
- Review and approve Architectural home plans per Architectural Standards and Use Restrictions and Design Guideline criteria
- Review and approve Landscape per Architectural Standards and Use Restrictions and Design Guideline criteria
- Review, perform and approve requests for tree removal on existing completed home sites per Architectural Standards and Use Restrictions
- As a team member review all Architectural Standards and Use Restrictions Complaint issues
- Review requests on other matters deemed actionable by the ARB Chairman
- Have signature authority on documents and letters
- Contact and consult with any ARB Committee member, homeowner or builder during any review or field survey process to help clarify or expedite an issue

ARB Chairman and Vice Chairman

- Consults with other ARB Committee members, Declarant and ARB Administrator on questionable issues
- Selects team members to work together on such ARB issues as deemed necessary

- Assigns, schedules and maintains status on all ARB Committee action items
- Selects Advisory members as may be needed for special projects
- Selects new ARB Members for in term vacant positions with ratification of the Board of Directors and Declarant
- Performs all responsibilities as ARB Member as necessary
- Has signature authority on documents and letters

ARB Administrator

- Assigns Application for Lot Survey and Application for House Plans and Specifications to an ARB member. The ARB member meets with the Showcase builder and can approve the site for clearing if necessary. The ARB member performs a preliminary review prior to the review of the House Plans and Specifications by the ARB committee.
- As the Declarant liaison and appointee to the ARB process
- Drafts letters and obtains signatures for all issues as to the ARB Committee's decisions
- Provides CCDC technical expertise and guidance as necessary during ARB meetings
- Handles all complaints
- Handles covenant complaints and resident non-compliance issues. (Sensitive issues will be forwarded to the ARB Chairman for appointment of a three person team to review and make recommendation(s) for a solution
- Approves or rescinds Cedar Creek building permits for construction of all ARB approved new homes
- Has signature authority as the Declarant's representative on documents and letters
- Performs ARB Final Compliance Review and releases escrow funds upon satisfactory approvals
- Supervises ARB Administrative Assistant
- Presents the ARB Meeting Minutes to the POACC Board of Directors for review, comment and approval

THE PROPERTY OWNERS ASSOCIATION OF CEDAR CREEK

Application for Lot Survey and House Plan and Specifications Process

1. Builders submit Application for Site Survey and three (3) copies of the Site Plan and Application for House Plan and Specifications and three (3) copies of the House plans at least five (5) business days before the next ARB Review Meeting (by the close of business the Wednesday prior to the ARB meeting, which currently are held the 1st and 3rd Wednesday of the month)
2. Administrative Assistant reviews that paperwork and insures appropriate deposits and fees have been submitted. The Administrative Assistant will make a copy of the Lot Survey Form for the ARB member's use at the site.
3. ARB Chairman assigns Applications to ARB Member
4. ARB Member meets with the Builder and performs a technical review (i.e. setbacks, HVAC, well, septic areas, silt fences, etc.) contained on the Lot Survey Form and/or Lot Survey Plan. The ARB member may approve the site for clearing if needed. The ARB member does a preliminary review of the House Specifications and House Plans. House plans are not approved until the ARB meeting.
5. At the ARB Review Meeting, those surveys, and appropriate comments can be reviewed as necessary and signed off by the other members if needed.
6. All results of the ARB decisions, including notes and copies of ARB comments on the Lot Survey Form or Site Plan drawings and House plans are sent to the builder with a letter by the ARB Administrator indicating one of the following: approved, approved with conditions, or not approved.

THE PROPERTY OWNERS ASSOCIATION OF CEDAR CREEK

Site Survey Plan and Tree Survey Checklist

This checklist is to serve as a guide when conducting a site plan and tree survey for a new home. Comments and other issues should be clearly noted on the **ARB Lot Survey Plan Form** and communicated to the Showcase Builder prior to a Cedar Creek Building Permit.

Site Items:

1. Does the site plan meet the requirements of the ARB Lot Survey Form with respect to showing property boundaries and easements, location of house and setbacks, driveway and turnaround, deck, fence, drainage and silt fences, wells, HVAC and trash service areas, septic area, and swimming pool?
2. At the site, are property lines clearly staked, as well as the house, the driveway and turn around, porches, patios, swimming pool, etc?
3. Is the location of the house and setback compatible to any adjoining houses to maximize views?
4. Is there a minimum of five (5) feet from the driveway and turnaround to the property line? Could the house footprint be shifted to provide additional driveway setback.
5. For side entry and courtyard garages is there at least 30 feet from the garage doors to the edge of the turnaround?
6. In addition to the above, does the house footprint meet the setback requirements for front, sides, and back?
7. Is the well or neighbor's well at least 75 feet from any septic area?
8. Will there be a drainage issue and is silt protection needed and if so is it marked?
9. Are there other issues to consider such as location of driveway entrance relative to an intersection, etc?

Tree Survey Items:

Generally every effort should be made to save as many trees as possible. Dead, damaged and diseased trees must be removed. Suggest trees within 20 ft from the house or 5 ft from concrete be removed. Lot owners have the

final say as to keeping trees closer than 10ft to the home. ARB can recommend moving the house or changing the design to save exceptional trees where appropriate.

1. Trees that should be saved, but not marked, require double banding with orange tape. Double marking indicates ARB action.
2. Healthy hardwood trees of at least four (4) inches in diameter (at four feet in height) and pine trees of at least eight (8) inches in diameter (at four (4) feet in height) should be kept
3. Trees that are within 20 feet of the house or approximately 5 feet from the driveway or walkway can be removed to limit future buckling.
4. Large deciduous and shapely trees should be saved. Perhaps suggest a slight shifting of the footprint of the house in order to save any attractive trees.
5. Check for trees that were marked that should be removed. If so, remove the orange tape and note its location on the ARB Lot Survey Form or Plan. Also note on the form any other trees that are to be removed.
6. Pine trees that have obvious damage such as deep gouges, insect or beetle damage, "cat faces", etc. should be removed.
7. Trees with uprooting, "Y" splits, excessive bending, or where the top has broken off should be removed.
8. Judicious tree removal should be considered due to being too closely clumped together. Also some thinning of every 3rd or 4th pine tree may be considered where trees are in a row. This is to provide a more natural appearance.
9. Judicious removal of a tree should be considered when it blocks the view of specimen (holly, live oak, magnolia or other attractive) hardwood trees.
10. Suggest cherry and sour gum trees for removal since they do not do well in this area.

**THE PROPERTY OWNERS ASSOCIATION OF
CEDAR CREEK
New House Design Plan Checklist**

The following checklist is to serve as a guide when reviewing new home plans. They attempt to insure the “Design Guidelines” are met. Also the proposed home should be consistent with the natural setting of Cedar Creek and one that is compatible to neighboring homes.

1. Does the square footage of the house meet the minimum required for the appropriate community?
2. Are the colors approved? Do we have the adjacent house descriptions to verify differences?
 - Brick
 - Siding
 - Stucco
 - Shingles
 - Pavers
 - Decks
3. Does the roof pitch meet guidelines – minimum of 12:4 and maximum of 12:10?
4. Does the roof, including ridges and peaks, look architecturally pleasing?
5. Is the roof overhang appropriate?
6. Does height of the house comply with the height restrictions in the Design Guidelines for the appropriate community?
7. Is the fireplace chimney (s) noticeable from the front of the home and if so does it blend in appropriately?
8. Is there an appropriate front porch? (Required dimensions in Carriage Run)
9. Are there solar panels and if so are they designed to be unobtrusive?
10. Is there an appropriate service court for the HVAC and does the door face to the side or away from the street where possible?
11. Is there an appropriate service court for the trash container and does the door face the side or away from the street where possible? Is there

a concrete path from driveway to service court to facilitate moving of trash container?

12. Is the house design compatible with any existing adjoining houses, yet not a similar looking design?
13. Does the overall appearance of the house plan fit the intended look of Cedar Creek?

PROPERTY OWNERS ASSOCIATION OF CEDAR CREEK

APPLICATION TO ARCHITECTURAL REVIEW BOARD (ARB)

HOUSE PLAN AND SPECIFICATIONS

(Revised 6-18-10)

Date of Application: _____

Lot Location: Section _____ Block _____ Lot _____ Address _____

Showcase Builder: _____ Office Phone _____

Contact _____ Cell Phone _____ Other Phone _____

Property Owner: Name _____ Address _____ Phone _____

Builder Showcase Home Custom Home Addition to Existing Home

Three copies of House Plan (four copies if a Showcase Home) along with this completed application are to be submitted by Close of Business (COB) on Wednesday the week prior to the scheduled ARB meeting. Please check all items on this application that apply and complete ALL color selections.

This application is submitted with the full knowledge and understanding of the Covenants and Design Guidelines of the Cedar Creek Property Owner's Association and agreements and restrictions of the Cedar Creek Development Corporation. The undersigned accepts the obligation to adhere to rules and regulations set forth by each.

Showcase Builder Signature: _____ Date: _____

Property Owner Signature: _____ Date: _____

Action by ARB:

____ Approved ____ Conditional Approval ____ Not Approved

Comments:

ARB Signature _____

Date _____

House Specifications

No house within 500ft shall have a similar design or closely matching exterior finishes and/or colors.

Square Footage (Please check box if bonus or basement is heated, do not check if not heated)

First floor _____ sq. ft. Second floor _____ sq. ft.

Bonus room _____ sq. ft. Heated Basement _____ sq. ft.

Total Heated Sq. Ft. _____

Bedrooms 2 _____ 3 _____ 4 _____

Baths 2 _____ 2 1/2 _____ 3 _____ 3 1/2 _____ 4 _____

Garage

Side Entry _____ Courtyard Entry _____ Front Entry _____ Other _____

Garage Door: Color _____

Roof (Primary roof must be asphalt shingles)

Manufacturer _____ Color _____

Accent Roof or Bay Window: Material _____ Color _____

Exterior Finish

(Provide Sample of Brick Color)

Brick: Mfr. _____ Mfr. Color _____ Common Color _____

Stone: Mfr. _____ Mfr. Color _____ Common Color _____

Mortar: Mfr. Color _____ Common Color _____

Other: Color _____ Stucco _____ Hardiplank _____

Gables: Color _____ Vinyl _____ Stucco _____ Other _____

Dormers: Color _____ Vinyl _____ Stucco _____ Other _____

Gutters and Rain Diverters

Color _____

Windows

Color _____

Shutters

Color _____

Exterior Doors

Front: Style _____ Mfr. Color _____ Common Color _____

Side & Rear: Style _____ Mfr. Color _____ Common Color _____

Driveway and Turnarounds

Concrete _____ Pavers _____ Combination of _____

Color: Natural _____ Other (Describe) _____

Walkways

Front: Concrete _____ Pavers _____ Flagstone _____ Other _____

Color: Natural _____ Other (Describe) _____

Side or Rear: Concrete _____ Pavers _____ Flagstone _____ Other _____

Color: Natural _____ Other (Describe) _____

Porches, Decks and Patios

Screened Porch _____ Egress door to outside: _____ None _____ Other _____

Deck _____ Material: Treated Wood _____ Composite _____ Concrete _____
Color _____

Patio _____ Material: Concrete _____ Pavers _____ Other _____ Color _____

Irrigation Wells

Installed by: Showcase Builder _____ Installed by homeowner _____ None _____

Swimming Pool, Water Feature, or Hot Tub (Details must be provided for ARB approval)

Installed by: Showcase Builder _____ Installed later _____ Homeowner _____ None _____

Other Specifications not listed above. (Describe below)

*Note: Items installed after occupancy and not approved during construction phase require ARB approval, possible county permits, and possible escrow funds

PROPERTY OWNERS ASSOCIATION OF CEDAR CREEK

APPLICATION TO ARCHITECTURAL REVIEW BOARD (ARB)

LOT SURVEY

(Revised 6-18-10)

Date of Application: _____

Lot Location: Section _____ Block _____ Lot _____ Address _____

Showcase Builder: _____ Office Phone _____

Contact _____ Cell Phone _____ Other Phone _____

Property Owner: Name _____ Address _____ Phone _____

Three copies of Site Lot Plan along with this completed form are to be submitted by Close of Business (COB) on Wednesday the week prior to the scheduled ARB meeting. Please check the items below that have been marked at the lot and/or are shown on the Site Lot Plan:

1. _____ Property lines marked with string and lot restrictions, easements, and MBL shown
2. _____ House footprint marked at the lot and distances to property lines shown.
3. _____ Driveway marked at the lot. (minimum of 5 ft. from PL required)
4. _____ If side entry garage - drive turnaround marked at lot and distance from garage to edge of turnaround shown on plan.
5. _____ Trees to be saved marked; natural areas to be saved cordoned off with orange tape.
6. _____ HVAC Service Court shown. (min. 51" high and 6" above HVAC, gate on side or rear)
7. _____ Trash Service Court (min. 51" high) and concrete walk to driveway shown.
8. _____ Location of swimming pool and equipment if applicable.
9. _____ Location of silt fences shown. (silt fences to be in place immediately after lot cleared)
10. _____ Water run-off and drainage issues identified.
11. _____ DHEC preliminary septic approval received, and copy attached showing location.
12. _____ Waiting DHEC preliminary approval - copy to be sent to office prior to construction - final approval before CO. Call ARB for any additional tree removals.
13. _____ Location of irrigation well shown if applicable. (min. 75 ft. from all septic systems)

Showcase Builder or Designee Signature: _____

ARB Member Comments:

_____ Approved _____ Conditional Approval _____ Not Approved

ARB Member Signature _____ Date _____

Signature of Showcase Builder or Designee and/or Owner if Present:

PROPERTY OWNERS ASSOCIATION OF CEDAR CREEK
APPLICATION TO ARCHITECTURAL REVIEW BOARD (ARB)

LANDSCAPE PLAN

(Revised 6-18-10)

Date of Application: _____

Lot Location: Section _____ Block _____ Lot _____ Address _____

Showcase Builder: _____ Office Phone _____

Contact _____ Cell Phone _____ Other Phone _____

Property Owner: Name _____ Address _____ Phone _____

Landscape Contractor: _____ Phone: _____

Three copies of Landscape Plan along with this completed form are to be submitted by Close of Business (COB) on Wednesday the week prior to the scheduled ARB meeting. Please check the items below that are shown on the Landscape Plan:

1. _____ Plantings marked (must be around the perimeter of the house).
2. _____ Key or Legend showing size and type of all plantings.
3. _____ At least six (6) shrubs in the front of the house to be seven (7) gallons or larger.
4. _____ Sod and Minimally Landscaped areas marked.

Other

____ Yes ____ NA Fencing (complete description including sketch must be shown and must comply with Design Guidelines).

____ Yes ____ NA Location, complete description, and size of any Pool, Fountain, or Water Feature

Showcase Builder or Landscape Contractor Signature: _____

Action by ARB:

____ Approved ____ Conditional Approval ____ Not Approved

Comments:

ARB Signature _____

Date _____

The Property Owners Association of Cedar Creek

Architectural Review Board (ARB) Action Request

INSTRUCTIONS: This form should be SAVED to your computer—Do NOT open. To complete this form, open the form/file you saved. Click (place your cursor) on the first blank line below and complete the form, using the tab key to move from blank line to blank line. Save the completed form on your computer and then send it as an attachment to an e-mail addressed to arb@cedarcreek.net **OR** print the form, complete it by hand and either mail or hand deliver the form to the Architectural Review Board, 2178 Club Drive, Aiken, SC 29803.

Satellite Dish	Irrigation	Other	Complaint*	Tree Removal	# of
Date:		Requested By: _____			
Against (Only If Complaint): _____					
Address for Action: _____				Block: _____	Lot: _____
Requestor's Tele. #:		E-Mail Address: _____			
Requestor's Comments (Note: There are 7 blank lines available for text. Attach additional page if necessary.):					

*Unless e-mailed, all Complaints require a signed letter from the requestor detailing the issue. Up to three ARB members may be assigned to review and dispose of complaint issues.

Section to Be Completed by a Member(s) of the POACC Architectural Review Board

Date AGM Received: _____

ARB Findings and Comments**(Note: There are 7 blank lines available for text. Attach additional page if necessary.):

Date: _____ ARB Member(s): _____

**You have the right to appeal this ARB decision in accordance with Section 3.03(b) of the Design Guidelines.

Approved Fence Styles and Specifications

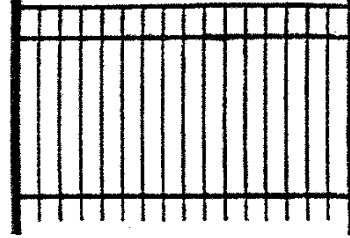
Specifications

Here is a chart of the component sizes, standard heights, picket spacing, and other pertinent data relating to our fences:

<u>Component Sizes</u>	<u>Residential Strength</u>	<u>Ovation Regency</u>	<u>Industrial Strength</u>
Pickets	5/8" sq. x .050" thick	3/4" sq. x .050" thick	1" sq. x .062" thick
Rails: top Walls Side Walls	1" x .055" thick 1" x .082" thick	1" x .055" thick 1 1/2" x .082" thick	1 5/8" x .070" thick 1 5/8" x .100" thick
Standard Posts	2" sq. x .060" thick	2" sq. x .060" thick	2 1/2" sq. x .075" thick
Gate Posts	2" sq. x .125" thick 4" sq. x .125" thick	2" sq. x .125" thick 4" sq. x .125" thick	4" sq. x .125" thick 6" sq. x .125" thick
Spacing Between Pickets	3 13/16" (1 5/8" for #302)	3 31/32"	4" (1 1/2" for #302)
Post Spacing	72 1/2" on center	72"/95 5/8" on center	71 1/2" on center
Heights Available	36", 42", 48"	36", 48"	48"
Standard Colors	Black	Black	Black
Weight Supported	350 + lbs. per section	350 + lbs. per section	1,000 + lbs. per section

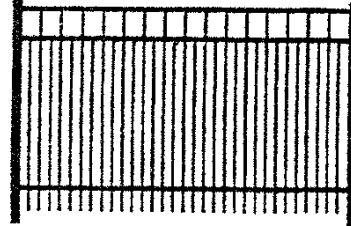
200 Series Fence Style

Style #202



300 Series Fence Style

Style #302



Ovation Series Fence Style

Ovation

