

DRAFT - for Discussion Purposes Only

REEDY SPRINGS HOMEOWNERS' ASSOCIATION ARCHITECTURAL GUIDELINES

Last Amended: June 24, 2023

Covenants, Conditions and Restrictions (CC&Rs):

The CC&Rs as recorded in the public records of Greenville County, SC, on February 20, 2008, and as may be amended from time to time, establish the Architectural Review Committee (ARC). The ARC ensures that proposed exterior alterations comply with the standards established for the community. This involves the regular review of all applications for exterior alterations submitted by residents.

- A. Every home owner in Reedy Springs is a member of the Reedy Springs HOA, governed by the CC&Rs. It is the responsibility of homeowners to ensure that any tenants receive a copy of the CC&Rs and Rules & Regulations of the community. The CC&Rs and Rules & Regulations are binding on all homeowners/residents and every homeowner/resident is encouraged to read them thoroughly for complete understanding of the responsibilities of the Reedy Springs HOA and its members.

Objectives:

This document is to serve as a guide for the members of the Reedy Springs HOA Architectural Review Committee, hereinafter known as the ARC, and the homeowners, who are members of the Association. The goal of distributing this information is to increase the homeowners' awareness of the ways in which the integrity of the Community Plan is preserved and the responsibilities the homeowners must assume in this process. These Guidelines address exterior improvements for which homeowners most commonly submit applications and are not intended to be all inclusive. The specific objectives of the Guidelines are:

- A. To provide uniform guidelines to be used by the ARC in reviewing applications in conformance to the standards set forth in the legal documents of Reedy Springs HOA.
- B. To assist residents in preparing an application to the ARC.
- C. To increase the awareness and understanding of the governing documents including the CC&Rs, Bylaws, and Articles of Incorporation.
- D. To maintain and improve the quality of the living environment in Reedy Springs HOA.
- E. To illustrate basic design principles that will aid residents in developing exterior improvements that are in harmony with the immediate neighborhood and the community as a whole.

The intent of these Guidelines is not to inhibit individuality and creativity, but to assure residents of Reedy Springs continuity of design that will help preserve or improve the appearance, protect property values, and enhance the overall environment of Reedy Springs. These Guidelines are directed only to exterior alteration, including landscaping, made by homeowners to their property.

Amendments:

- A. These Guidelines may be amended from time to time by the Reedy Springs HOA Board of Directors.

Commented [1]: The main reason for changes by the board: In discussing with the property management company, their experience is that Guidelines/Rules & Regulations can expound on the directives of the Covenants, but not directly contradict them. The Covenants will always be conclusive in a court of law, and contradiction to the Covenants could have adverse legal consequences to the board and HOA if carried that far.

So the options would be to attempt to change the Covenants, which takes a significant effort, or ignore them, or enforce them retroactively (which almost nobody wants). These will be discussed at the HOA meeting on July 11.

Commented [2]: This was changed because we cannot claim everyone received a copy of the CC&R when they purchased their property. They are usually shared by the closing attorney, but some residents claim they were not shared with them.

B. The ARC may conduct evaluations of the Guidelines as deemed necessary to determine if amendments are required. Recommendations can be made to the Board of Directors.

Items that Require Approval:

A. Homeowners are reminded that approval from the ARC is required for any additions or alterations that meet **any** of the following:

- (i) All exterior structures, alterations, and hardscapes of front, side, rear yards and front court yards, including fences and walls.
- (ii) Any change to the exterior appearance of one's property must be approved by the ARC. Further, once a plan is approved, any further modification must be approved by the ARC prior to installation.
- (iii) It is important to understand that ARC approval is not limited to major alterations such as adding a room or deck to a house, but includes such items as changes in building and hardscape color and material. Approval is also required when an existing item is to be removed.

REVIEW PROCESS

General Information:

A. Each application is reviewed on an individual basis. There are no "automatic" approvals, even for replacement of existing improvements. A homeowner who wishes to construct a deck, for example, identical to one that has already been approved by the ARC, will be required to submit an application and may or may not receive ARC approval.

B. **In every case**, an application must be submitted and reviewed in order to consider specific implications of location and impact on surroundings.

C. The ARC evaluates on the individual merits of each application. Besides evaluation of the particular design proposal, this includes consideration of the characteristics of the housing type and the individual site, since what may be an acceptable design of an exterior in one instance, may not be acceptable for another.

a. The proposed improvements must be compatible with the architectural characteristics of the applicant's house, adjoining houses, and the neighborhood setting. Compatibility is defined as similarity in architectural style, quality of workmanship, similar use of materials, color and construction details.

b. Beyond compatibility, there are other concerns such as access and sunlight.

D. The review or approval from the ARC is not to be considered as approval of the means or the method of construction, the installation and guarantee to the owner, or compliance with County or Municipal codes or ordinances. This is the sole responsibility of the owner and/or his or her contractor or landscape contractor.

PROCEDURE FOR OBTAINING APPROVAL TO COMMENCE WORK

Submit ARC Application for Review:

A. All requests are to be made to the Reedy Springs HOA to the attention of the property management company, who will forward to the ARC. Requests must be submitted on the standard **Architectural Review Request Form** available on the community website at <https://chastinepm.com/reedy-springs-hoa/>. All ARC submittal packages to include the items listed on the attached Application Procedures form are included in this information. If construction is anticipated to take longer than 60 days from the date of approval, a construction phasing plan and schedule must also be submitted to the current Management Company, which will forward to ARC within five working days for review by ARC.

Commented [3]: Requests made via the property management company, which forwards to the ARC.

Please include the following information, as applicable on your plans:

1. Location of residence on lot and the dimensions from lot lines.
2. Complete dimensions of proposed improvement. Provide a dimensioned plot plan utilizing one inch equals ten feet or more detailed as necessary to adequately depict the improvement.
3. Description of all materials, fixtures, and color scheme. Indicate the color of stain or paint by manufacturer's number respective to building parts or surfaces. Color samples must be provided if they deviate from the original color used. Note accordingly if color is intended to match the existing surface. Samples of materials having inherent colors such as in masonry, will be required if they are to be used in their natural finish.
4. Show affected elevations.
5. Plant inventory (type, size and location).
6. Photographs of front and rear of house.
7. Detail of any and all slopes on property.

B. Right of Entry:

If construction work requires the use of common area, or access from property not owned by the applicant for purposes of transporting labor and materials, or for the temporary storage of materials for the work, **the applicant shall obtain written permission from the Reedy Springs Community Association and acknowledged by the owner** for the right to enter during construction. A copy of the letter granting permission shall be submitted to the ARC prior to commencement of construction. Any damages to the property not owned by the applicant shall be restored to original condition at the applicant's expense.

- C. The ARC application with all required enclosures must be submitted to the Management Company. The management company will review the application for submission of all materials and then forward to the ARC. The address for the management company for the Reedy Springs Reedy Springs Community Association is:

Chastine Property Management Inc
P.O. Box 1037
139 Bridges Road
Mauldin, SC 29662
www.chastinepm.com
office@chastinepm.com
864-640-8137

Submittal packages will be returned if deemed incomplete. The ARC reserves the right to request additional information.

ARCHITECTURAL REVIEW COMMITTEE CRITERIA

The ARC evaluates all submissions on the individual merits of the application. In addition to evaluation of the particular design proposal, consideration of the characteristics of the housing type and the individual site will be considered. Please be aware that an acceptable design of an exterior in one instance may not be acceptable in another.

- A. The proposed improvements must be compatible with the architectural characteristics of the applicant's house, adjoining houses, and the neighborhood setting. Compatibility is defined as similarity in architectural style, quality of workmanship, similar use of materials, color and construction details.
- B. The ARC will consider, but not guarantee, the potential effect of the proposed improvements on views, access, sunlight, ventilation, and privacy of adjoining houses and the neighborhood.
- C. Each neighborhood has individual characteristics and the proposed alteration should be a complement to existing structures and improvements.
- D. The ARC has authority and reasonable discretion, subject to the rules and governing documents (CC&Rs and Architectural Guidelines), over acceptability of any submittal. Any variances from the governing documents may be submitted to the Board, and only approved if the Board approves the variance.
- E. The approval, conditional approval, or disapproval, by the ARC of any proposals, plans, specifications or drawings will not bind the ARC to approve or disapprove the same or similar improvement or matter in the future. The ARC specifically reserves the right to reject the same or similar plans, specifications, or proposals subsequently submitted by the same or any other person.
- F. Applicants are prohibited from commencing construction prior to obtaining a written response acknowledging approval of the application by the ARC. Requests will be reviewed and responded to expeditiously.

Commented [4]: Removal of "sole authority", The ARC must recommend variances to the board for approval, based on Article VIII of the CC&Rs.

Commented [5]: The previous Article G about 30 days was removed entirely. The Covenants specifically say 60 days, and the board felt changing the number (even if within the 60 days) would cause unnecessary confusion. We will just say requests will be dealt with expeditiously.

Municipal Permits

Approval by the ARC for any improvement does not waive the necessity of obtaining required municipal permits or complying with applicable zoning ordinances. Obtaining city permits does not waive the need for ARC approvals. Approval must be obtained prior to commencing construction.

Construction Phase

Time Period: Work shall commence within thirty (30) days from the approval of plans and be completed within sixty (60) days from the approval of plans. If applicant is requesting a longer construction period, a construction phasing plan and schedule shall have been previously submitted by the applicant for ARC review and approval prior to the commencement of construction.

Maintenance/Construction Hours

Construction and maintenance on any lot is limited to the hours of 7:00 a.m. to 7:00 p.m., Monday through Saturday.

Emergency Situations Related to Construction

In the event of a major emergency affecting life-safety or property, please always call the appropriate local authorities.

Management Company Notification

The phone number for emergency service is: [864-640-8137](tel:864-640-8137). For issues related to the common areas and during regular business hours for non-emergency service, the property manager and/or his/her assistant can be reached via phone at [864-640-8137](tel:864-640-8137)

Disruption of or Damage to Community Common Area

Owners shall be responsible for any damage caused to the streetscape or open space areas or other Reedy Springs Homeowners' Association maintained areas as a result of construction improvements. This includes construction debris and other materials used in making said improvements. All refuse and debris must be removed from the premises to a regulated disposal area.

Association Common Area which is damaged or disrupted due to installation/construction of an individual owner's improvement must be restored to its original state at the owner's expense. The repair work will be done by the Association and the costs of the repair will be billed to the owner. Any improvement plan requiring placement of electrical lines, sewer lines or gas lines over or under the Association Common Area must fully detail the exact location of such lines in relation to owner's lot or unit. Proper authorization for work on adjacent property must be obtained from the owner of said property.

FINAL REVIEW AND APPROVAL

A. Final Review/Inspection

The ARC, at its discretion, will perform a final review and/or inspection of the project. A response via the property management company will constitute final approval of the project and be forwarded to the homeowner.

Commented [6]: "response via the property management company" replaces "conformance report", which raises questions about the content and standards of a formal report, etc.

CLARIFICATIONS REGARDING COVENANTS AND RESTRICTIONS

The Architectural Guidelines elaborate on, interpret, and implement the Covenants, pursuant to Article VIII, Architectural Control.

Commented [7]: "interpret and implement" come directly from Article VIII, but no provision is made to directly contradict or change the Covenants.

Article X Use Restrictions - Amended

Section 1 - Business Use Prohibited: (v) Home-based businesses may be operated, without excessive external activity outside of the house, or any signage.

Section 3 - Maintenance of improvements: all exterior changes of existing properties inclusive of roofs, garage door, gutters, siding, etc. will need ARC approval.

Commented [8]: Comment for Section 2 on sheds is omitted, since it would directly contradict the covenants. This topic will be discussed at the next HOA meeting 7/11/23.

Section 12 - Fences shall be set back a minimum of 3 ft from the front of house, not higher than 6 ft. in height, and match the aesthetics of the neighborhood. Style, color, etc must be approved. No loud colors or chain link fences will be permitted.

Commented [9]: Comment for Section 9 on signs is omitted, since it would directly contradict the covenants. This topic will be discussed at the next HOA meeting 7/11/23.

Fences may attach with written approval of both owners, including documentation of easement rights if applicable, and terms of fence maintenance. Documentation must be included with ARC request if applicable.

Commented [10]: Comment for Section 11 on vehicles/trailers is omitted, since it would directly contradict the covenants. This topic will be discussed at the next HOA meeting 7/11/23.

Fences on corner lots shall be set back a minimum of 6 ft from the property line.

Commented [11]: This was voted on by the board to be clarifying language for what is written in the Covenants.

Section 14 - Cars parked on a road shall not create a hazardous obstruction of view.

Commented [12]: Discussion on this was whether parking on street should be permitted at all. This topic will be discussed at the next HOA meeting 7/11/23.

Section 15 - Amended: Leased or Rented Units. "Parker Place Community" is replaced with "Reedy Springs Community".

All copies of leases/subleases and rental agreements must be furnished to the Association within 30 days of lease/Rent start. Percentage of neighborhood houses rented not to exceed 10% (12 houses) at any given time.

Article XI - General Provisions

Section 7 - Enforcing Rules & Regulations - Minor violations: 1st: Letter notification 2nd notice if not remedied: \$50 fine 3rd Notice: \$100 fine. 4th Notice: Association remedies at owners expense

Architectural violations: The Board of Directors reserves the right to assess additional fines, require remedy of violation through the use of association approved contractors at owner's expense, record notice of violations in public records, or other remedies and enforcement rights as provided in the CC&R.

Commented [13]: Removed a specific fine amount.

[ADD COPY OF REQUEST FORM]