

ARCHITECTURAL GUIDELINES

Harborwalk Townhomes

Harborwalk Townhomes Architectural Guidelines Table of Contents

Introduction.....	1
A. Architectural Review Board Guidelines and Procedures	
I. What is the Architectural Review Board.....	1
II. Purpose.....	1
III. Scope of Architectural Review Board.....	2
IV. Steps for Obtaining Board Approval.....	2
V. Enforcement.....	2
VI. Fines.....	2
VII. Appeals Process.....	3
B. Harborwalk Townhomes Landscape Standards	
I. Front and Side Treatment.....	3
II. Rear Area Treatment.....	3
III. Irrigation.....	4
IV. Maintenance.....	4
V. Tree Removal.....	4
VI. Fences.....	4
VII. Storage Sheds and Outbuildings.....	4
E. Harborwalk Townhomes Exterior Modifications	
I. Additions and Alterations to a Home.....	4
II. Porches and Sunrooms.....	5
III. Mailboxes.....	5
IV. Temporary Structures.....	5
V. Lighting.....	5
VI. Monuments, Sculptures, and Flag Poles.....	5
VII. Swimming Pools.....	5
VIII. Docks.....	5
IX. Play Equipment.....	5
X. Outside Antennas and Satellite Dishes.....	6
F. Harborwalk Townhomes Additional Flatwork	
I. Driveways.....	6
II. Patios.....	6
G. Harborwalk Townhomes Signs	
I. Types.....	6
II. Style.....	6
III. Placement.....	7
IV. Obtaining a Sign and Lead-Time.....	7
H. Harborwalk Townhomes Recreational Boat and Vehicles Procedures.....	7
Appendix	
A. Suggested Greenery.....	8-10
B. Architectural Review Board Application.....	11-12
C. For Sale Sign Details and Request Form.....	12

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INTRODUCTION

Harborwalk Townhomes has the potential to become one of James Island's most desirable neighborhoods with a timeless design. Through careful planning and design as well as the coordinated efforts of each homeowner in the community Harborwalk Townhomes will stand above other communities. Architectural Guidelines are put into place to ensure a cohesive design for a neighborhood without sacrificing the individuality of each home. The standards aid the development of a desirable and attractive neighborhood. They ensure, enhance, and protect the value of all the homes within Harborwalk Townhomes. This document is meant to be a supplement to the Covenants and Restrictions for the neighborhood, but the Covenants and Restrictions always supersede these guidelines. The guideline will aid the reader in understanding those elements that are important to the integrity of an individual home as well as to the manner in which that home compliments the overall harmony of the neighborhood. No action taken by the Architectural Review Board shall entitle any person to rely thereon with respect to conformity with the laws, regulations, codes or ordinances of local, state, or federal governments.

A. ARCHITECTURAL REVIEW BOARD GUIDELINES AND PROCEDURES

I. Who and What is the Architectural Review Board

The Architectural Review Board is the architectural control committee, which shall be the governing body charged with promoting and maintaining a high level of design, quality, harmony and conformity throughout Harborwalk Townhomes. The Declarant controls the Architectural Review Board until the time of turnover; afterwards the elected board from the homeowner's association takes control. No improvements of any kind shall be erected, placed, or maintained, and no alteration or modification of any improvements in Harborwalk Townhomes shall be made without approval of the Architectural Review Board.

II. Purpose

The Architectural Review Board is established to provide a system of review for the construction or modification of all improvements within the Project. The goal of the Architectural Review Board is to review the application of plans and specifications to determine the compliance with the standards set forth by the Covenants and Restrictions. The Board strives to ensure the communities are attractive by maintaining the principles set forth in the Covenants and Restrictions. The Architectural Review Board does not assume responsibility for the technical aspects, structural aspects, or safety of the design. Nor does the board assume responsibility for compliance with local codes, ordinances, or laws.

III. Scope of Architectural Review Board

The Architectural Review Board reviews and approves or disapproves all plans and submissions solely on the basis of aesthetic standards, harmony of location, external structure and design relating to surrounding topography and the overall benefit or detriment to the overall Project. The board will take into account aesthetic aspects of architectural design, placement of buildings, color schemes, exterior finishes, and materials used. The Architectural Review Board is not responsible for structural safety of the improvement or the conformance with building codes. The Board holds the right to refuse any submittals that are not suitable or desirable to the overall aesthetics of the neighborhood. The Board also reserves the right to grant variances to these standards on the basis necessity or unusual conditions. The Architectural Review Board reserves the right to inspect all aspects of the improvements after the construction process has been completed. Declarant improvements are not subject to the board approval and are deemed to conform to the plan of development for Harborwalk Townhomes.

IV. Steps for Obtaining Board Approval

1. Plans for improvements must be submitted to the Architectural Review Board to include all aspects of the improvement along with the proper application form (See Appendix B).
2. Applicant must submit a plot plan of the lot showing the location of the improvement.
3. The Architectural Review Board may require the submission of additional information and materials as needed to supplement the application.
4. The Board reviews submittals on a monthly basis. (The typical turn around for an application is thirty days).
5. All approvals or disapprovals will be written and sent to each respective Applicant.
6. Applicants may submit improvement plans to the Architectural Review Board before the closing of a home to ensure the home will fit all the needs of the homeowner.

V. Enforcement

The Architectural Review Board reserves the right of entry and inspection of any lot or portion of Project Land to determine the existence of improvement that violates the standards set forth by both this document and the Covenants and Restrictions. Except in emergency situations, any exercise of entry and inspection by the Architectural Review Board will follow at least a twenty-four hour notice to the Residential Owner. The Board is empowered to enforce the provisions set forth in both this document and the Covenants and Restrictions by any legal action, and in the event, it becomes necessary to resort to the legal system all fees are incurred to the prevailing party. The cost of removal of unapproved improvements will also be incurred to the Residential Owner.

VI. Fines

Fines are put into place to allow the Architectural Review Board and the Homeowner's Association to enforce the standards set forth in both this document and the Covenants and Restrictions. This fine structure is subject to change if the board deems the current system ineffective. The Homeowner's Association steps of enforcement are as follows:

1. Letter of warning is sent to the Residential Owner.
2. Residential Owner will be given 15 days to fix the violation. If problem persists a second letter is sent with a fifty-dollar fine incurred by homeowner.
3. Residential Owner will be given 15 additional days to fix the violation. If violation persists the Residential Owner will be sent a third letter with a one hundred-dollar fine.
4. If violation persists past the third warning, the homeowner incurs a one hundred and fifty-dollar fine and a ten-dollar per day fine will be incurred until the violation is corrected. At this point the violation will be turned over to legal council where any action will be at the expense of the Residential Owner.
- 5.

VII. Appeals Process

Any homeowner who is denied approval on any submittal or portion of a submittal holds the right to appeal the Board's decision. All appeals should be in written form addressed to the Harborwalk Townhomes HOA Board. The appeal should be noted at the next formal meeting and will allow the Residential Owner to explain and justify the original request. The appeals process is also applicable to the fines set forth by the Homeowner's association. The homeowner is allowed a 30 day maximum period of time in which to appeal the Board's decision. The 30 day time period begins on the date of the Board's decision, and ends 30 days thereafter.

B. HARBORWALK TOWNHOMES LANDSCAPE STANDARDS

The general character of any home is greatly determined by the elements of its surroundings. Proper selection and placement of plant materials is extremely important in establishing the overall setting of the home. The landscape guidelines promote continuity in the landscape where individual lots relate to one another while at the same time allowing for individuality of each lot.

I. Landscaping Enhancement

Emphasis should be placed on proper proportion rather than quantity or size of plant material. Shrub and perennial beds must consider height proportions to facilitate a conversational distance to the sidewalk. Try to select plants that will give year round bloom. Small plots of contoured grass provide year round color and low maintenance. There are many natural shrubs available at low cost that requires little maintenance. A list of suggested trees and plants is available in Appendix A.

III. Irrigation

Irrigation will be provided by developer, and maintained by the Homeowner's Association.

IV. Maintenance

Each Residential Owner is responsible for maintaining, in a healthy condition, all natural and introduced vegetation on their lot. Removal of dead or diseased plant material must be done on a regular basis in accordance with the best practices for the plant material involved. Each lot must have grass lawn that must be mowed and maintained on a regular basis. The grass lawn must be edged, and maintained at a height that is pleasing to the Board. The Architectural Review Board reserves the right of landscape inspections for each Residential Owner in the Project. If a Residential Owner fails to maintain all plant materials within a lot in the manner described above, the Architectural Review Board may remedy such failure by whatever methods it deems necessary and appropriate. The owner shall reimburse the Architectural Review Board for all expenses incurred by performing the duties described above.

V. Tree Removal

The owner must obtain written approval from the Architectural Review Board before any tree over six inches in diameter is removed from any lot. Tree removal guidelines are put into place to keep the Harborwalk Townhomes Communities as natural as possible, along with developing a low-country feel.

VI. Fences

For ease of access and in order to keep maintenance costs at a minimum; fences will not be allowed in the Harborwalk Townhomes neighborhood.

VII. Outbuildings and Storage Sheds

Outbuilding, storage sheds, and they like will not be permitted within the Harborwalk Townhomes.

E. HARBORWALK TOWNHOMES EXTERIOR MODIFICATION STANDARDS

Exterior modifications help make each home more individualized. Each owner can modify his or her home based on the guidelines set forth in this document.

I. Additions and Alterations to a Home

No Living Unit shall be enlarged by any addition thereto or to any part thereof, and no Residential Owner shall make any improvement, addition, or alteration to the exterior of his Living Unit, including, without limitation, the painting, staining, or varnishing of the exterior of the Living Unit or re-roofing with shingles of a different color or material, without the prior written approval of the Architectural Review Board, which may withhold approval for purely aesthetic reasons. All additions, permanent or temporary, must be within building setbacks

II. Porches, Sunrooms, and Decks

Additions to a unit are not allowed in the Harborwalk Townhomes .

III. Mailboxes

Mailboxes may not deviate from the one the original Developer, in this case Centex Homes, has provided. .

IV. Temporary Structures

No tents, trailers, shacks or other temporary buildings or structures shall be constructed or otherwise placed upon the Project Land except in connection with construction, development, leasing or sales activities permitted by the Architectural Review Board or performed by Declarant. No temporary structure may be used as a Living Unit. No garden shed, storage shed, outbuilding, play structure, or other permanent structures, which are detached from the Living Unit, shall be constructed or placed upon a lot in the Harborwalk Townhomes.

V. Lighting (Security)

Exterior lighting must be limited to areas within the building envelope. Exterior lighting shall be located so as not to result in excessive glare or interfere with the privacy of nearby dwellings. Floodlights must be hooded. An exterior lighting plan with locations is required for approval by the Architectural Review Board.

VI. Monuments, Sculptures, and Flag Poles

The Architectural Review Board must approve all monuments, sculptures, yard art, and flag poles that the Residential Owner plans to place on the lot. Monuments, sculptures, yard adornment, and art of any kind are discouraged in front or side yards.

VII. Swimming Pools

The Harborwalk Townhomes will not allow swimming pools on any lot other than that provided by the Developer.

VIII. Docks

No private docks are allowed on this property.

IX. Play Equipment

Elements of a planned park or playground, swing sets and similar outdoor play areas, structures and equipment, must be located where they will have a minimum impact on adjacent lots and where they will be best screened from general public view. Play equipment must be located in the middle half of the rear of the lot on the non-street side. The place equipment must not exceed eight feet in height. Any proposed play equipment to be placed in the yard must be approved by the Architectural Review Board. Natural wood play equipment is recommended. Brightly colored play equipment is not recommended, and may be disapproved by the Architectural Review Board. No trampolines are allowed in the Harborwalk Townhomes. The developer will be providing play areas at various locations throughout the community. Basketball goals must be stored out of view when not in use.

X. Outside Antennas and Satellite Dishes

No Residential Owner may erect or maintain a television or radio receiving and transmitting antenna, satellite dish, or similar apparatus or equipment unless such equipment is; less than two feet in diameter, the apparatus is screened from public view and located behind the living unit either in the rear yard or affixed on the rear roofline, the apparatus is not visible from any point while standing along the property boundary line in the front of the house that abuts or is adjacent to a street, right-of-way or sidewalk, and the Architectural Review Board has approved of the apparatus, its location, and the type of screen. If the signal cannot be obtained from one of the specified locations, a letter from the provider proving this must be submitted to the Board.

F. HARBORWALK TOWNHOMES ADDITIONAL FLATWORK

The driveways have been created so that they conform with the aesthetics of the Harborwalk Townhomes and driveway extensions are not recommended by the Board.

I. Driveways

Additional concrete for a driveway cannot be added to lots without specific approval by the Architectural Review Board. If additions are approved they must be constructed of concrete that exactly matches that which is present. A two-foot minimum setback should be maintained from all property lines. The Architectural Review Board and the governing municipality will review encroachments on the setback on a case-by-case basis.

II. Patios

Any concrete for patio additions must be approved by the Architectural Review Board.

G. HARBORWALK TOWNHOMES SIGNS

In an effort to enhance the appearance of the Harborwalk Townhomes community, only certain types of signs will be permitted. This will promote a sense of consistency and enhance the general appearance of the community.

I. Types

The only type of sign permitted for a period longer than twenty-four hours in Harborwalk Townhomes is that which advertises a house is "For Sale." The Architectural Review Board for Harborwalk Townhomes has produced a template for which all "For Sale" signs must match. This is shown clearly in Appendix C. No "For Rent" signs will be either permitted in yard or in house within these communities.

II. Style

Sign details are located in Appendix C.

III. Placement

The sign should be placed in the front center yard of the lot.

IV. Obtaining a Sign and Lead-Time

For ease of uniformity and cost effectiveness, the Architectural Review Board has ordered in a large quantity “For Sale” signs. These signs are made available to the homeowner through request forms that are provided in Appendix C. Please allow a two to three week lead-time for sign delivery.

H. HARBORWALK TOWNHOMES RECREATIONAL BOAT AND VEHICLE PROCEDURES

Storage of recreational vehicles is not preferred by the Board.

I. Storage and Parking

The storage of a boat, camping trailer, recreational vehicles or similar equipment is allowed in an enclosed garage provided the garage door remains closed. Boats, recreational vehicles, and the like are not to be stored in the rear yard. No overnight parking of the boat, visible from the street or on the street, is permitted. **If the boat is visible from the garage is it not permitted by the Association and will be cause for monetary fines.**

APPENDIX A

Suggested Landscaping

I. Canopy Trees

Red Maple
Red Sunset Maple
October Glory Red Maple
River Birch
Heritage River
Pecan
Deodar Cedar
Green Ash
Japanese Ginkgo
Moraine Honey locust
Shademaster Honey locust
Black Walnut
Yellow Poplar
Sycamore
Southern Red Oak
Water Oak
Willow Oak
Shumard Oak
Live Oak
Scarlet Oak
Laurel Oak
Bald Cypress
Brasswood
Winged Elm
Drake Chinese Elm
Breen Vase Zelcova

II. Understory Trees

Cocas Palm
Eastern Redbud
Flowering Dogwood
Carolina Silverbell
East Palatka Holly
Foster Holly
Hume Holly
Savannah Holly
Nellie Stevens Holly
Natchez Crepe Myrtle (White)
Potomac Crepe Myrtle (Medium Pink)
Muskogee Crepe Myrtle (Lavender)
Catawba Crepe Myrtle (Dark Purple)

Tuscarora Crepe Myrtle (Dark Pink)
Saucer Magnolia
Sweet bay Magnolia
Flowering Crabapple
Wax Myrtle
Pistachio
Cherry Laurel
Purple Leaf Plum
Bradford Pear
Aristocrat Pear
Palmetto
Windmill Palm
Chaste

III. Buffer Shrubs

Sasanqua Camellia
Eleagnus
Burning Bush Euonymus
Forsythia
East Palatka Holly
Foster Holly
Hume Holly
Savannah Holly
Dwarf Buford Holly
Buford Holly
Nellie Stevens Holly
Yaupon Holly
Anise
Pfitzer Juniper
Japanese Privet
Japanese Privet
Variegated Chinese Privet
Maiden Grass
Japanese Silver Grass
Wax Myrtle
Nandina
Oleander
Fortunes Tea Olive
Fragrant Tea Olive
Pittosporum
Variegated Pittosporum
Formosa Firethorn
Majestic Beauty Hawthorn
Japanese Cleyera

IV. Ornamental Shrubs

Edward Goucher Abelia
Sherwood Abelia
Purple leaf Japanese Barberry

Harrington Plum-Yew
Cotoneaster
Daylily
Carissa Holly
Dwarf Horned Holly
Juniper
Sergeants Juniper
Creeping Juniper
Harbor Dwarf Nandina
Dwarf Pittosporum
Dwarf Indian Hawthorn

V. Ground Cover and Vines

Akebia
Weeping Love Grass
Winter creeper
English Ivy
Hypericum
Candytuft
Kadsura
Liriope
Miscanthus
Mondo Grass
Fountain Grass
Asiatic Jasmine
Confederate Jasmine

VI. Turf

Bermuda
Centipede
Saint Augustine

The typical review process takes 30 days. However, the more information you include in your request may expedite the review of your request. We encourage you to be specific in your information such as pictures of the type of fencing and plats showing exact location.

10. Mail completed form to the Harborwalk Townhomes Association:

Application

PLEASE ALLOW 30 DAYS FOR PROCESSING THIS REQUEST

To Be Completed by the Architectural Review Board

Date ARB Received Request _____

Request is Approved Approved with Conditions Denied

Applicable Conditions and/or Comments _____

Date of Decision _____

ARB Signature(s)

Signature

Print Name

Homeowner Notification Date: _____