

SCN NEWPORT LAND DEVELOPMENT COMPANY LLC
ARCHITECTURAL CONTROL COMMITTEE GUIDELINES
FOR
NEWPORT AT STONEY POINT PHASE I

THE NEWPORT AT STONEY POINT ARCHITECTURAL CONTROL COMMITTEE

- Purpose: Design review as set forth in the recorded Covenants and any Supplements of Newport at Stoney Point ("Covenants").
- Membership: Three or more members as appointed by the Declarant.
- Term: Membership on the Architectural Control Committee ("Committee") shall be at the pleasure or discretion of the Declarant. In the event of a member resigning from his/her position, the Declarant will fill the vacancy.
- Quorum: A majority of the Committee.
- Meetings: Third Thursday each month at 9:00 A.M.
- Submittal: Must be received in the Committee's office by Tuesday at 5:00 P.M. prior to the meeting.

Permit Fees:

| | |
|------------|--|
| \$1,500.00 | Road impact fee; |
| \$250.00 | Architectural Review Fee for Plans; |
| \$250.00 | Mail Box Fee. |
| \$100.00 | Addition, alternation, garage or etc. costing \$25,000.00 and up; |
| No Fee | Reroofing, repainting, shutters, awnings, decorative artwork or maintenance and repairs (Permit Required); |

The above fees are doubled for an after-the-fact application (construction started prior to approval). The above fees in no way void, limit or replace the Committee's right to further enforce the Covenants or the guidelines or to impose additional fees or fines.

Fines: Fines are imposed for, but not limited to the following:

1. Clearing or starting construction without stake out approval; up to \$500.00.
2. Removing tree without permission; \$500.00 each tree.
3. Making change to construction that alters exterior appearance without obtaining Committee approval; up to \$100.00 each change (even if approved after-the-fact).
4. No job toilet; \$25.00 each day.
5. No job sign, improperly installed sign or improper sign; \$25.00 each day.
6. No job site dumpster; \$25.00 each day.
7. Not having a clean or orderly job site; \$25.00 each day.
8. Not having Committee permit posted properly; \$25.00 each day.
9. Not protecting trees or common areas, \$25.00 each day.
10. Construction workers' vehicles parked off construction site; \$25.00 each day.
11. Excessive noise on job site; \$25.00 each day.

12. Contractors, their workers or suppliers using private facilities designated for exclusive use of property owners or club members; \$100.00 each day.
13. Noise that can be heard beyond the property line from the job site before or after 7:30 a.m. – 7:00 p.m. hours on weekdays or on Saturdays, Sundays, or holidays; \$100 each day.
14. Not completing construction, including landscaping where applicable, within twelve months of start of construction for a house and within nine months of start of construction for other construction; \$25 each day.
15. Not repairing damaged roads or roadsides to pre-construction conditions prior to construction deadline; \$25 each day.

The Above fines in no way void, limit or replace the Committee's right to further enforce the Covenants or these guidelines or to impose additional fines. If fines exceed the amount of the cash bond then the additional fines must be paid prior to a Certificate of Compliance being issued.

NEWPORT AT STONEY POINT ARCHITECTURAL CONTROL COMMITTEE
BUILDING PERMIT APPLICATION

Type of Construction Applying For: _____

Owner:

Name: _____

Mailing Address: _____

City: _____ State: _____ Zip: _____

Phone: _____

Builder:

Name: _____

Mailing Address: _____

City: _____ State: _____ Zip: _____

Phone: _____

SC License # _____

Estimated Cost: _____

Square Footage: _____

Heated 1st Floor _____

Heated 2nd Floor _____

Porches: _____

Decks: _____

Garage: _____

Exterior Treatment:

Foundation Finish: _____

Skirting Material: _____

Wall Material: _____

Trim Material: _____

Door Type: _____

Rail Material: _____

Roofing Materials: _____

Shutter Material: _____

Material: _____

Estimated Construction Dates:

Start _____ Completion _____

Setbacks:

Front: _____

Rear: _____

Right Side: _____

Left Side: _____

Color: _____

Color: _____

Color: _____

Color: _____

Color: _____

Color: _____

Color: _____

Color: _____

Color: _____

Check List of Necessary Items:

Two complete sets of plans: _____ Two sets of site plans: _____

Two sets of landscape plans: _____ Two sets of specifications: _____

Permit Fee: _____ Mail Box Fee: _____

The Permit Fee and Mail Box Fee are due and payable to Newport at Stoney Point Architectural Control Committee with Application. I HAVE READ THE RETREAT A.C.C. GUIDELINES AND AGREE TO COMPLY TO ALL OF ITS REQUIREMENTS.

Owners Signature (required) _____

Date submitted _____ Received by _____

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I. PURPOSE AND PHILOSOPHY OF GUIDELINES

A. Purpose of Guidelines

The purpose of these guidelines is to encourage architectural design of a high caliber which is appropriate to the surroundings and to the unique conditions of Newport at Stoney Point.

B. Design Philosophy

These guidelines are designed to establish an attractive, harmonious, coherent and pleasant place to live.

The homes will face paved streets. Golf carts will be a way of transportation when traveling through Newport at Stoney Point.

The homes in Newport at Stoney Point will promote the authenticity of their style and architecture.

For the protection of property values of all property owners, and to assure quality construction by responsible and professional workers, a builder or general contractor will be required for approval of any house construction. The builder or general contractor must be licensed to do business in the state of South Carolina. The name and license number must be provided with the application.

II. ARCHITECTURAL CONTROL COMMITTEE AUTHORITY AND REVIEW PROCESS

A. Architectural Control Committee

The Covenants delegate the control of Newport at Stoney Point development to the Committee. The relevant provision reads as follows:

"No building or other structure, including fences or fence like structures and walls, shall be commenced, erected or maintained upon any Lot nor shall any exterior addition to or change or alteration to any Lot or Unit (including changing the exterior paint color) be made until the plans and specifications showing the nature, kind, color, shape, height, materials and location of the same including but not limited to setbacks and curbcuts has been submitted to and approved in writing as to harmony of external design and location in relation to surrounding structures and topography and the general development plan by an architectural control committee composed of two or more representatives appointed by the Declarant. Any Lot landscaping or change in landscaping shall be approved by Committee."

Architectural Control Committee approval and the issuance of Newport at Stoney Point Building Permit is only the first step in obtaining the necessary agency approvals for construction of a home in The Retreat. Complete sets of construction documents displaying the stamp of approval of the Committee must be submitted to Greenwood County to obtain a building permit. The

Committee assumes no liability for structural design or damage to adjacent properties during construction.

These guidelines are intended to assist property owners during the design, construction or improvement of their residence while protecting the property values of owners. These guidelines may be amended from time to time by the Declarant.

B. Review Process

This process has been established to provide a systematic and uniform review of proposed construction. No site clearing, material deliveries or construction may begin without first obtaining the Newport at Stoney Point Building Permit and stake-out approval.

The procedures of the Greenwood County must also be followed. Submittal of drawings for review must occur early enough so as not to delay the construction schedule.

The Committee meets the second and fourth Tuesday of every month and more often as the case load dictates. Submittal must be received in the office of the Committee no later than Tuesday at 5:00 p.m. prior to the meeting. Submittal must be accompanied by The Retreat application form completed in full.

1. Concept Review

Concept review is an approval to continue with planning only. Concept review may be for any of the items listed under final review, is good for one year and requires no fee.

2. Final Review

Along with the Newport at Stoney Point A.C.C. application, permit fee and cash bond, if applicable, the following items are required for final review:

- a. Site Plan – A site plan shall be presented at a minimum 1" = 10' scale depicting site data which must include the following:
 1. Property line description
 2. Designation of directional north
 3. Location of house on lot
 4. Location of all decks and porches
 5. Drives and walks
 6. Setback dimension on all four sides of house
 7. Existing and proposed grade contours if grade changes are to be made.
 8. Any tree over 8" in diameter to be removed, and not within building or driveway footprint, must be shown for approval.
 9. All existing easements and rights-of-way.

- b. Landscape Plan – A landscape plan at a minimum 1/8" = 1'0" scale showing the location of the house, driveway and walk with proposed landscaping concepts is required. The plan shall indicate all planting including proposed trees.

Landscaping plans will continue the harmonious theme of Newport at Stoney Point. Each plan shall include irrigation, sod and the number, size and specimen of trees and foundation plantings. Expansive natural areas are encouraged. Landscaped areas should be focused around the home and lakefront. Areas containing grass must be sodded with irrigation.

Landscaping to be completed not more than thirty (30) days after occupancy.

- c. Architectural Plans – A complete set of architectural and construction plans at a scale of 1/4" = 1'0" shall be submitted and must contain the following information:
1. Footing and foundation plan
 2. Floor plans
 3. Building sections
 4. Elevation of all views
 5. Details of construction
 6. Total square feet of heated area on each floor
- d. Construction Specifications – A full set of specifications must be submitted defining the quality and type if exterior materials not identified on plane.
- e. Exterior Colors – Proposed colors of exterior materials including, but not limited to siding, trim, cornice, brick, roofing, stucco, shutters, lattice and gutters must be submitted for approval. Earth tone colors are encouraged.
- f. Construction Schedule – An estimated schedule of construction indicating the dates of commencement and completion must be submitted (maximum of twelve months, including landscaping for a house and nine months for all other construction or less if required by the Committee.)

The above information must be submitted in duplicate including all forms and plans. Once approved, one set of plans will be returned with approval noted for application to Greenwood County for building permit. The other set of plans will be placed in a permanent file and kept at the Committee's office. All of the required documents, fees and cash bond must be submitted before action will be taken by the Committee.

The Committee will review these plans and a written reply will be sent to the applicant. The Committee will either grant approval or state reasons for the disapproval of the project. If the plans are changed after approval, they must be resubmitted and receive approval before proceeding. Concept or final approval is valid for twelve months from approval date. The construction period from start of construction to certificate of compliance may not exceed twelve months for a house and nine months for other construction or less if required by the Committee. A Newport at Stoney Point Building Permit is required to be displayed on the site during construction.

3. Stake-out Approval

After final approval and prior to beginning any clearing or construction on any lot, the owner or builder must schedule a stake-out approval. A committee member will review the stake-out of the construction including house location, driveway location, proposed tree removal, final grades, job sign and permit, job toilet and dumpster. The Committee reserves the right to make these adjustments.

4. Certificate of Compliance

A Certificate from the Committee is required at the completion of construction. In order to be in compliance, the following items must be completed and/or adhered to:

- a. The structure must be completed (including walks and drives) according to the approval of the Committee.
- b. Exterior colors shall conform to those approved by the committee.
- c. Construction debris must be removed from the site.
- d. Temporary facilities (power pole, portable toilet, etc.) and contractor sign must be removed from the site.
- e. House number must be on the mailbox.
- f. Road and roadsides must be repaired to pre-construction conditions.

If at the end of twelve months, the construction is not completed and in compliance, the Committee may take legal action to insure compliance (nine months for construction other than a house, or less if required by the Committee).

5. Home Improvement Review

As stated in the Covenants, any exterior changes, alterations or additions must be approved by the Architectural Control Committee. All exterior repainting and reroofing must also be approved. The following are required for review.

- a. A completed application form indicating that it is an application for improvements along with permit fee and cash bond if applicable.
- b. Site plans showing existing structures, setbacks, property lines and the proposed improvements as well as any other pertinent information.
- c. Architectural plans at $\frac{1}{4}'' = 1'0''$ sufficient to adequately explain the proposed addition or alteration.
- d. Exterior colors of all exposed exterior materials. Samples will be required in order to assure that any new addition will match the existing structure. Earth tone colors are encouraged.

As with new construction, two sets of drawings must be submitted. After review of the project, the Committee may request additional information or changes to the proposed plan before granting final approval. A Building Permit is required to be displayed on the site during construction.

III. DESIGN GUIDELINES

The goal of these guidelines is to produce a balanced environment by matching and blending human needs with, rather than imposing them on, the natural environment. While there is a strong desire to encourage freedom of individual expression in the development of the land and buildings, it must be tempered by those "protections" which are mutually advantageous to all property owners in Newport at Stoney Point.

A. The Site

The design process should begin by considering the constraints and opportunities of the site. The following should be taken into account during the design process:

1. Existing topography
2. Existing vegetation
3. Views
4. Sun orientation
5. Prevailing wind
6. Drainage
7. Driveways and parking
8. Utilities and easements
9. Setbacks
10. Adjacent structures
11. Proposed landscaping and maintenance
12. Neighborhood environment

1. Setbacks

No part of a building except bay windows, stoops, stairs, fireplaces or roof overhang may be built between the property line and the setback line of the building.

Minimum Setback Requirements are generally as follows; Front setbacks are to be set at minimums to line up front elevations.

Lakefront Homesites

| | |
|----------------|---------|
| Front (street) | 25 feet |
| Rear (water) | 40 feet |
| Sides | 10 feet |

Interior Homesites

| | |
|----------------|---------|
| Front (street) | 25 feet |
| Sides | 10 feet |
| Rear | 25 feet |
| Rear | 50 feet |

The committee reserves the right to control absolutely and solely the precise location of any house or dwelling. As mentioned previously, a stake-out approval is required prior to any clearing or construction on a site, thus allowing for field adjustments if needed.

2. Easements

The Covenants reserve certain easements. Construction is normally not allowed in these easements.

B. Architectural Design

It is necessary during the design process to consider: mass, roof form, window and door articulation, materials, finishes and colors in addition to site constraints. As Newport at Stoney Point grows, the relationship of each residence to its neighbor will become increasingly important and should play an integral role in the design process. In addition to general design principles, the following are required:

1. Use Restrictions

Article VIII, Section I, of the Declaration of Covenants, Conditions and Restrictions of Newport at Stoney Point states: "(A) No Lot shall be used except for the private residential purposes of a single family, provided, however, that nothing herein shall prevent Declarant from using any dwelling as a model, sales office or amenity; (B) not more than one Unit shall be constructed on any Lot.

2. Size of Structure

The homes in Newport at Stoney Point should emphasize exterior authenticity and style. The concept being, the size of the house is not as important as the quality of the building. Lakefront home sites will require a minimum 2,000 heated square feet with a minimum of 1,700 sq. ft. on the first floor. Interior home sites will require a minimum of 1,500 sq. ft. with a minimum of 1,500 sq. ft. on the first floor if a two story. Enclosed porches, sunrooms and finished rooms over the garage will not be counted as part of the minimum square footage requirement.

3. Exterior Materials

Exterior wall material should be brick, horizontal siding, stucco, or stone, or any other material approved by the ACC. The only vertical siding acceptable is "board and batten." Vinyl siding will not be considered.

4. Roof Pitches

Roof pitches will be dictated by the architecture of the home. Dormers, garages and porch roofs should also compliment the architecture and style of the house. Main roof pitches should be no less than 10/12.

5. Roofs

Roofs should be either metal, cedarshake, slate or asphalt shingles.

6. Driveways

Surface of driveways must be approved.

7. Gutters and Downspouts

Gutters and downspouts should match the trim color and may be required for runoff control.

8. Exterior Colors

All exterior color samples must be submitted for approval. All vent pipes and other elements that penetrate the roof should be painted to match the roof color.

9. Pools

The Committee must approve the plan and pool location prior to construction. No above ground pools will be permitted. Prior to any construction, pools will have to meet all local and state requirements.

10. Tennis Courts

Tennis courts are permitted on individual lots.

11. Recreational Vehicles

Boats, campers, motorcycles, bicycles and other recreational equipment must be stored in the garage or out of sight.

12. Antennas

No antennas will be allowed within the residential neighborhood without approval of the Committee. Sixteen to eighteen inch (16" - 18") and smaller satellite dishes attached to the eave of the house will be allowed by the Committee. All dishes should blend in color with the house trim or roof color, which ever is most appropriate.

13. Signs

Signage is restricted to the standard Newport at Stoney Point builder sign during construction of a home and also signs displaying required permits. "For Sale" or For Rent" signs are not allowed.

14. A/C Units

Through-wall or window A/C units are not allowed. All A/C units that are allowed must be screened from view by landscape plantings.

15. Trees

Any tree over 8" in diameter and not within building or driveway footprint must be approved for removal.

16. Retaining Walls

Retaining walls are encouraged to lessen steep grades, but must be approved by the Committee. A permit to construct the walls must be obtained from Greenwood County.

17. Lakefront Home Elevations

The home elevation facing the lakefront should have equal architectural emphasis as the front elevation.

18. Docks

All docks must have prior approval by the Architectural Control Committee and Greenwood County prior to construction. The design should consider the constraints and opportunities of the site. The following should be taken into account during the design process:

1. Views
2. Existing Vegetation
3. Utilities and Easements
4. Adjacent Structures
5. Setbacks

IV. CONSTRUCTION GUIDELINES

All residential construction at Newport at Stoney Point will be under observation by the Committee. Field inspections conducted by the Committee during construction will insure that the contractor and owner are adhering to these guidelines and the Covenants. A final inspection for a Certificate of Compliance will occur only after all construction is completed. Entering upon lot or into buildings under construction shall not constitute a trespass.

A. Required Before Construction

Prior to beginning any clearing, grading or construction, the following must be completed:

1. Obtain final approval for construction and a Committee Building Permit.
 2. Obtain an approval of site stake-out.
 3. Obtain all Greenwood County and other required agency permits.
 4. Erect an approved job sign and post all building permits so that they are visible from the road.
- Every construction site must have a freestanding sign identifying the contractor and displaying all building permits. The sign must be as provided by Declarant for a fee and of a uniform design and may be placed on lot no closer than 15 feet and parallel to the edge of the street. No other signs (including subcontractors, termite, etc.) are permitted. No signs or permits shall be attached to trees.

B. Required During Construction

1. Each construction site is required to have a job toilet placed on lot at least 40 feet from the edge of the street in an inconspicuous location with the door facing away from the street.
2. Each contractor is responsible for maintaining a clean and orderly job site as well as for any materials, trash or debris falling from vehicles enroute to or from the construction site. All construction materials must be stored in a neat and orderly manner and must be kept totally within the property lines and at least 25 feet from the edge of street. Likewise, all debris and trash must be placed in a job site dumpster to be emptied

when level with top. No open burning on construction site except in steel drums.

3. One temporary storage structure or trailer, no larger than 10' x 10' x 10' high, may be used as an office or to store materials. Storage structures or trailers may not be used as living quarters on single-family residential job sites.
4. Temporary utilities shall be installed in a neat manner. Temporary power poles must be installed plum and not utilized for the placement of signs.
5. During construction, trees and common areas must be protected (by barricades if necessary).
6. Construction workers including all sub-contractors shall confine the parking of their vehicles to the construction site. Vehicles shall be parked only on future driveway or parking area to avoid damage to existing vegetation.
7. Any damaged road or roadside must be repaired to pre-construction conditions.
8. Owners and contractors are responsible for seeing that their construction workers, sub-contractors and suppliers obey all traffic and security regulations at Newport at Stoney Point.
9. Access to Newport at Stoney Point is controlled by Newport at Stoney Point. Construction workers, sub-contractors and suppliers are allowed access to and from the construction site only, and are strictly forbidden from riding about the club.
10. The normal hours allowed for construction are 7:30 A.M. to 7:00 P.M., Monday through Friday. If it is necessary for construction workers, sub-contractors or suppliers to be working before or after hours or on Saturday and Sunday, the contractor must arrange for special permission from The Committee in advance. There will be no workers, sub-contractors or suppliers allowed in Newport at Stoney Point on holidays.
11. No loud or offensive language or excessive noise is allowed on the construction site. Radios or similar devices are permitted only if they cannot be heard beyond the construction site property lines.
12. Because Newport at Stoney Point is a private community, contractors and their employees, sub-contractors or suppliers shall not have the use of any of the private facilities including the tennis courts, restaurants, swimming pools, parks, fishing areas or any other area designated for exclusive use of property owners and club members or their guests.

APPENDIX

THE NEWPORT AT STONEY POINT ARCHITECTURAL CONTROL COMMITTEE
CHECKLIST FOR HOME CONSTRUCTION

- _____ Application completed in full and signed by owner (required)
- _____ Permit Fee
- _____ Cash Bond
- _____ Colors on samples of materials
- _____ Site Plan (2 each)
 - _____ Property line description
 - _____ Directional north
 - _____ Location of house on lot
 - _____ Location of decks and porches
 - _____ Location of drives and walks
 - _____ Setback dimensions
 - _____ Existing and proposed grade contours
 - _____ Drainage flow by arrows
 - _____ Trees to be removed not within building or driveway footprint
 - _____ Easements and rights-of-way
 - _____ Service yard location
 - _____ HVAC unit location
- _____ Landscape Plan (2 each)
 - _____ Proposed Planting
 - _____ Irrigation Specifications
- _____ Architectural Plans (2 each)
 - _____ Footing and Foundation Plan
 - _____ Floor Plans
 - _____ Building Sections
 - _____ Electrical Plan
 - _____ All elevations
 - _____ Special details
 - _____ Total square feet on each floor
 - _____ Total height from average existing grade to peak of roof
- _____ Construction Specifications (2 each)
 - _____ Exterior Materials
 - _____ Driveway Materials
 - _____ Walkway Materials

