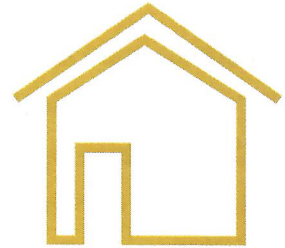


Newport

Property Owners Association, Inc.
Established 2006



ARCHITECTURAL CONTROL COMMITTEE GUIDELINES

Revised August 1, 2023 -

These Guidelines replace all previous issued guidelines and
are effective from the date of signature as
Notarized on the signature page.

(Declaration recorded in Deed Book 1002 at Page 263)

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NEWPORT ARCHITECTURAL GUIDELINES

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NEWPORT ARCHITECTURAL GUIDELINES

1.0 PURPOSE AND PHILOSOPHY OF GUIDELINES

1.1 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.

Statement regarding grandfathered properties:

For the homes built and that passed compliance inspection, the construction guidelines that were in effect when the home was completed are applicable. All other guidelines noted apply to all Newport Property Owners, regardless of when the home construction was complete and passed compliance inspection.

1.2 Design Philosophy

These guidelines are designed to establish an attractive, harmonious, coherent, and pleasant place to live. Construction of ancillary structures such as patios, fire pits, picnic pavilions, etc. is prohibited on any lot prior to home construction approval and commencement.

The homes in Newport will promote the authenticity of their style and architecture. The homes will face paved (or gravel) streets.

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. Note: If owner is acting as the Builder/General Contractor they are required to have licensed and insured contractors with active South Carolina contractor licenses and will need approval of the Architectural Control Committee (ACC).

1.3 Authority of the Newport Architectural Guidelines

The authority for the issuance and maintenance of Architectural Guidelines is established under the Declaration of Covenants, Declaration recorded in Deed Book 1002 at Page 263.

In addition, the "Covenants" provides for the power to levy assessments. As such, the use of the terms "fines, permits fees and other payments" contained within the Architectural Guidelines are deemed to be considered specific special assessments as per the "Covenants".

If there is a conflict or inconsistency between Federal, State and Local Laws including but not limited to Greenwood County zoning ordinances, Greenwood County Lake Management requirements, the "Covenants", the Architectural Guidelines, such laws, and documents, in that order, shall prevail.

2.0 ARCHITECTURAL CONTROL COMMITTEE AUTHORITY AND REVIEW PROCESS

2.1 Architectural Control Committee (referred to as the Committee or ACC in this document)

The Covenants delegate the control of Newport development to the Architectural Control Committee. The relevant provision reads as follows:

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"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 curb cuts 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 Newport Property Owners Association Board of Directors. Lot landscaping or significant change in landscaping after approval shall be submitted to and approved by Committee."

The Committee approval and the issuance of a Newport Building Permit is only the first step in obtaining the necessary approvals for construction of a home in Newport. Complete sets of construction documents with a letter noting approval by 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. Contact the ACC if there are any questions. Do not wait until it is too late! These guidelines may be amended from time to time by the Newport Property Owners Association Board of Directors.

SEE APPENDIX 1: Permits Fees and Other Payments

2.2 Review Process

This process has been established to provide a systematic and uniform review of proposed construction. No site cleaning/clearing, material deliveries or construction may begin without first obtaining approval (via email) of the Committee.

The procedures of 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 as often as the case load dictates. The submittal must be accompanied by the Newport application form completed in full. (Appendix 3)

2.2.1 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 (2.2.2), is good for one year and requires no fee. Must be re-submitted if 12 months have elapsed.

2.2.2 Final Review

Along with the Newport ACC Building application (Appendix 3), the Architectural Review Fee, including the refundable Compliance Fee, and the following items are required for final review: (1- paper copy and 1-Electronic PDF copy.)

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- 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, porches, and external stairs
 5. Drives and walkways
 6. Setback dimension on all four sides of house
 7. Existing and proposed grade contours if grade changes are to be made.
 8. Location of any tree 8" and over in diameter to remain on the lot. (Trees inside the house foundation and or driveway footprint will be noted for removal with an approved House Plan.) Additional trees may be removed with approval to ensure the safety for the home/foundation.
 9. Location of pool, equipment, and any piping above ground
 10. All existing easements and rights-of-way
 11. Location of septic system lines

NOTE:

Cleaning a lot: The removal of trees under 8 inches in diameter to include any brush as well as pine or sweet gum of any size. If bare dirt results from the cleaning, then seeding and appropriate ground covering (hay/pine straw is required). Cleaning will not be allowed or approved without prior notification (via email) to and confirmation from the ACC.

Clearing a lot: Same as Cleaning plus trees of any size may be removed in the house footprint. Clearing will not be allowed without prior approval from the ACC. At its discretion, the ACC may require a house plan and/or stake out prior to providing approval.

Tree protection: During the cleaning/clearing of a lot, existing trees must be protected with construction fencing if within 20 feet of any construction (house, driveway, pool, etc).

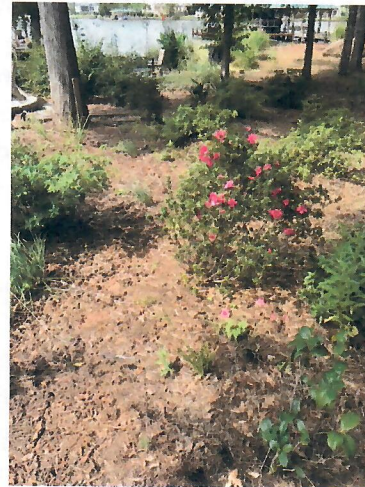
In both Cleaning and Clearing, the Committee will meet with the owner/contractor prior to any action.

- b. Landscape Plan – Landscaping plans will continue the harmonious theme of Newport.
1. A Preliminary and Final landscape plan showing the location of the house, driveway and walkways with proposed landscaping concepts. If there is a disagreement between the ACC and property owner a review by a certified arborist is required to settle the issue.
 2. A Preliminary landscape plan for construction approval need only provide an overview of proposed landscape design including "natural areas", areas to be sodded, and formal areas with bushes and flowers.
 3. Specific plants to be used need not be included in the preliminary plan.
 4. Final Landscape Plan must be submitted to the ACC a minimum of 30 days prior to the install for ACC Review and Approval. The Final Landscape Plan must include Elevation of the land, hard scapes, (to include retaining/knee walls, sidewalks, driveway, bed borders) note of location and irrigation, type of sod, number, size, and specimen of trees and foundation/bed plantings with a topographical survey. Include the location of Irrigation pump if a water site.
 - i. Sod shall be installed for all grassy areas surrounding the home-front, sides, and rear of home.
 - ii. Areas containing grass must be supported with in-ground irrigation.
 - iii. Landscaped areas should be focused on the home and lakefront (if applicable).

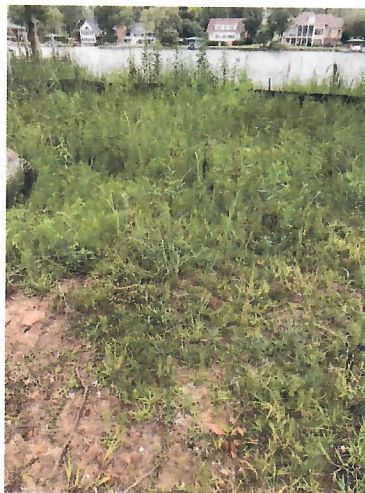
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- iv. Natural areas are permitted; however, they must be in the rear of the house and not exceed 20% of the back yard area. Also, they must be maintained and not allowed to become weed infested. (See examples below)
- v. Landscaping to be completed to coincide with home occupation, however, may not be extended more than sixty (60) days after occupancy. Consideration for extension will be given due to supply shortages and weather issues. If due to supply shortages, a request for extension must be submitted via email prior to 60 days before scheduled completion.

Acceptable Natural Areas



Unacceptable Natural Areas



- c. Architectural Plans –A complete set of 11” X 17” architectural and construction plans, **and an electronic copy** shall be submitted and must contain the following information:
 - 1. Footing and foundation plan

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2. Floor plans
 3. Building sections
 4. Elevation of all views
 5. Details of construction
 6. Total square feet of heated and cooled 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 plan.
- 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 included in the application (maximum of 12 months, including landscaping for a house and 9 months for all other construction or less if required by the Committee).
1. If construction will exceed the 9- or 12-month time period, a request and justification for an extension and fee of \$500, for a 90-day extension, must be submitted and approved by the ACC via email 30 days prior to the end of the 9 or 12 months.
 2. If an extension is not submitted and approved by the ACC, in accordance with 2.2.2 f.1. above, a fine of \$250 will be levied for each month (not prorated) that the construction goes beyond the 9 or 12 months. Extenuating circumstances will be considered. (See Appendix 2)
- g. Plan submission to the Committee. The above information must be submitted including all forms and plans (1 paper copy plus 1 PDF/Electronic copy). The Committee will review these plans and a reply will be sent via email to the applicant. The Committee will either grant approval or state reasons for the disapproval of the project.
1. If the plans are changed after approval, they must be resubmitted and receive approval from the ACC before proceeding (Fees: 4 or more changes, \$100 each.) If not submitted prior to making the change, a fine of \$500 plus the change fees will be assessed for each unapproved exterior change. The total amount of fines will be submitted to the homeowner after the Final Compliance Walk. The amount will be deducted from the building deposit assuming funds are available. If funds are not available, the homeowner will receive an invoice from the POA Treasurer.
- h. Plan Approval—Once approved a letter/email will be provided to the property owner noting approval for them to submit the application to Greenwood County for permitting. One set of plans will be placed in a permanent file and kept by the Committee Chair. All the required documents and fees must be submitted before action will be taken by the Committee.
- i. Final approval is valid for 12 months from the approval date. The construction period from the start of construction to POA Certificate of Compliance (Appendix 9) may not exceed 12 months for a house and 9 months for other construction if required by the Committee.
- j. A Greenwood County Building Permit is required to be provided to the Committee prior to construction and a Certificate of Compliance (Appendix 9) is required at the completion of construction. **The Committee's written approval must accompany the builder's permit application to Greenwood County.**

Must not break ground until copies of all paperwork are received and approved by the ACC, including Builders Insurance, Land Disturbance, Building Permits, and completed Appendixes 3, 4, 14.

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2.2.3 Pre-Approval Conference (Appendix 4)

The Committee desires to avoid misunderstandings of requirements and ensure a smooth and uneventful approval and construction process for the new dwelling or modification planned by the property owner and builder. Accordingly, before any approval of plans is given and authorization sent to Greenwood County to approve a building permit, a conference with the ACC, the property owner (or his authorized representative) and contractor is required (Appendix 4). Only with the property owner's written authorization delivered to the Committee will the building contractor be authorized to represent the property owner at the conference. The Preapproval conference items are attached are listed in Appendix 4.

2.2.4 Stake-out Approval (Appendix 5)

- a. After final approval and prior to beginning any clearing or construction on any lot, the owner or builder must schedule a stake-out approval with the ACC.
- b. Committee members (minimum of 2) will review the stake-out of the construction including house location, driveway location, proposed tree removal and protection, pool location and equipment, job sign and permit, job toilet and dumpster. After trees are removed and Final Stake-out has been marked at all four corners of lot and at the midpoint on both sides, two members of the ACC will complete a Final Stake-out Walk Approval.
- c. If there appears to be drainage issue where water run-off may affect adjoining property, a certified civil engineer assessment with recommendation for mitigating the water run-off is required. All costs associated with professional services' work shall be borne by the property owner.
- d. The Committee reserves the right to make adjustments to the stake-out if it violates the ACC Guidelines. As an example, homes must not restrict the view of neighbors and allow for adequate off-street parking. (Parking refer to 2.3.2 Setbacks)

2.2.5 Certificate of Compliance

A Certificate of Compliance (Appendix 9) from the Committee is required at the completion of construction. In addition, at the completion of construction the following items must be completed and/or adhered to be in compliance:

- 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, temporary water spigot, etc.) and contractor sign must be removed from the site.
- e. House number must be on the mailbox. (Appendix 9)
- f. Road and roadsides must be repaired to pre-construction conditions.
- g. A Certificate of Occupation issued by Greenwood County and a copy provided to the Committee.
- h. Construction is completed per scheduled date.

2.2.6 Home Improvement Review

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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 Building Permit Application form (Appendix 3) indicating that it is an application for improvements along with permit fee and cash bond, if applicable, is to be completed by the owner/builder.
- b. Plat Map showing existing structures, setbacks, property lines and the proposed improvements as well as any other pertinent information.
- c. Architectural plans sufficient to adequately explain the proposed addition or alteration. If appropriate, provide additional notes on an attached page.
- d. Exterior colors of all exposed exterior materials. Samples from actual labeled paint swatch cards are required for ACC review and consideration to assure that any new addition will match the existing structure. Earth tone colors are encouraged.
- e. As with new construction, one set of 11x17 drawings must be submitted including an electronic PDF copy. After a review of the project, the Committee may request additional information or changes to the proposed plan before granting final approval.

2.3 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 Newport Property Owners.

2.3.1 The Site

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

- a. Existing topography
- b. Existing vegetation
- c. View: individual house site and from adjoining lots/homes
- d. Sun orientation
- e. Prevailing winds
- f. Drainage
- g. Driveways and parking
- h. Utilities and easements
- i. Setbacks
- j. Adjacent homes/structures
- k. Proposed landscaping
- l. Neighborhood environment

2.3.2 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.

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Minimum Setback Requirements are generally as follows: Front setbacks will be adjusted by the ACC to accommodate off street parking.

NOTE: Phase I & II Guidelines are the same, except for setbacks.

| | <u>Phase I</u> | <u>Phase II</u> |
|--------------------------------------|----------------|-----------------|
| <u>Lakefront Homesites</u> | | |
| Front (street) (from roadside curb) | 25 feet | 20 feet |
| Rear (water) (from the 440' contour) | 40 feet | 25 feet |
| Sides (Phase II—Boardwalk) | 10 feet | 5 feet |
| | | |
| | <u>Phase I</u> | <u>Phase II</u> |
| <u>Interior Homesites</u> | | |
| Front (street) | 25 feet | 20 feet |
| Rear | 25 feet | 20 feet |
| Sides | 10 feet | 10 feet |

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2.3.3 Easements

The Covenants reserve certain easements and have been established by Greenwood County. Construction is not allowed in these easements, without Committee and Greenwood County Approval.

2.4 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 grows, the relationship of each resident to its neighbor will become increasingly important and should play an integral role in the design process. Each residential dwelling exterior, within the same area, shall be of a different design. Therefore, **the same color scheme or design will not be duplicated within a 3-house area.** A new home must not be placed to obstruct the view of the neighbor on the right or left.

Only custom or stick built homes allowed. Mobile homes and/or trailers of any size are not permitted. Prefab homes of any type are not permitted.

2.4.1 Use Restrictions

Article VIII, Section I, of the Declaration of Covenants, Conditions and Restrictions of Newport states: **"(A) No Lot shall be used except for the private residential purposes of a single family, and (B) not more than one Unit shall be constructed on any Lot."**

2.4.2 Size of Structure

The homes in Newport must emphasize exterior authenticity and style. Lakefront and interior home sites require a minimum of 2,000 heated square feet with a minimum of 1,500 sq. ft. on the first floor. Exception: 40ft wide Boardwalk lots 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, and 176, are required to have a minimum heated space of 2,000 sq. ft. with 1,400 sf on the first floor. These lots are also required to have a two-car garage. Enclosed porches and sunrooms will not be counted as part of the minimum square footage requirement; only finished heated rooms.

2.4.3 Garage

A minimum of a two (2) car garage [20 x 20] for all houses. A maximum of a three (3) car garage is allowed. All garage door styles must be consistent with the architecture of the house. Design considerations should be given to the use of one or two doors. Exceptions must be submitted for review and approval by the Committee.

2.4.4 Attached Structures (new construction and additions)

- a. Additional structures, except for sheds on interior lots, must have some physical attachment to the main home and be constructed with the same materials and colors as the home. Detached structures are not permitted. The addition of attached structures requires the same submittal process and fees for permit review and approval as for new construction.

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- b. Sheds are not allowed on waterfront lots.
- c. Patio, deck, outdoor trellised areas, gazebos or the like may not be built on a vacant lot.

2.4.5 Exterior Materials

- a. Exterior wall material must be brick, horizontal siding, or stone. Other material must be approved by the Committee.
- b. "Vinyl or aluminum" siding will not be considered.
- c. The only vertical siding acceptable is "board and batten".
- d. Foundation walls must be brick, stone, or painted stucco parging over concrete block and match other colors of the home.
- e. The area under a porch must be enclosed and match the color of the porch area. This does not apply for porches built over a patio.

2.4.6 Roof Pitches

Roof pitches will be dictated by the architecture of the home. Dormers, garages, and porch roofs should also complement the architecture and style of the house. Main roof pitches must be at least 8/12 pitch.

2.4.7 Roofs

Roofs should be metal, slate, or asphalt shingles.

2.4.8 Driveways

Surface of driveways must be concrete. Brick and stone inlays are encouraged. Asphalt is not authorized for driveways.

2.4.9 Gutters and Downspouts

Gutters and downspouts are required and must empty into underground drainage system that drain away from the property, prevent erosion, and should not impact neighbor's property. Water runoff is not allowed to run onto or across the neighbor's property.

2.4.10 Exterior Colors

All labeled exterior color swatch samples must be submitted to the Committee for approval with application. All vent pipes and other elements that penetrate the roof s must be painted to match the roof color.

2.4.11 Pools

Pools must be placed on site plan, along with all pool equipment and any pipes that will extend above ground prior to approval. The Committee must approve the plan and pool location prior to construction. No above ground pools will be permitted. In-ground pools should be installed in the back yard with the front-most edge (nearest the house) at 6" above ground level, according to the lay of the land. Prior to any construction, pools will have to meet all local and state requirements.

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2.4.12 Tennis, pickle ball, basketball etc

Recreation courts are not permitted on individual lots.

2.4.13 Recreational Vehicles

Boats, campers, motorcycles, recreational vehicles, and other recreational equipment must be stored in the garage out of view or in a storage facility/area and are not to be on the exterior property for longer than 96 hours.

2.4.14 Antenna / Satellite Dish

External antennas are not allowed. Sixteen to eighteen inch (16" – 18") and smaller satellite dishes attached to the eave of the house or free standing are allowed. Dishes must not be in the front yard area.

2.4.15 Solar Panels / Skylights

Solar panels and/or skylights on front facing roofs and/or ground mount are not permitted.

2.4.16 Signs

“General Contractor”, “For Sale” signs are permitted as defined below; see photo below.

- a. HOUSE(S) FOR SALE: Pole sign (18" x 24") on 4"x4"x6 "post. White letters on blue (SW6958 Dynamic Blue or eq.) sign and white pole.
- b. LOT(S) FOR SALE: Smaller version sign (13" x 14") on 2"x4"x3' post. White letters on blue (SW6958 Dynamic Blue or eq.) sign and white pole.
- c. RENT SIGNS (HOUSE): Rental signs are prohibited in Newport. NOTE: NO B&B, Airbnb, nor any other type(s) of short-term property lease/rentals are permitted.
- d. GENERAL CONTRACTOR SIGN: Contractors may use their own unique contractor signage for the construction site.
- e. WARNING SIGNS: Warning Signs such as “No Trespassing” or other restrictive warning signs are not permitted.

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(Example of FOR SALE sign)

2.4.17 Mechanical Equipment A/C Units and fans.

- a. Through-wall or window A/C units and fans are not allowed. Mini-Splits units may be considered as supplemental to primary heating / AC units.
- b. All mechanical equipment (i.e. HVAC, Mini-Splits, Pool Pumps, etc.) must be shielded from view, front, side and rear by appropriate planting or other approved screens.
- c. Tankless water heater must be mounted on an interior wall.

2.4.18 Trees

- a. Owner must submit request for removal of any tree 8" or more in diameter and not within building or driveway footprint for approval by the Committee prior to the removal of tree(s). Removal of Sweet Gum and Pines are permitted regardless of diameter.
- b. Signs are not to be posted on trees.
- c. Suggested plantings on interior lots and water lots (if lot size permits) to include two 25 – 30-gallon hardwood trees.

2.4.19 Landscaping Retaining Walls

- a. Landscape Retaining walls are encouraged to lessen steep grades and dimensions must be included in the new construction plans. All other Landscape Retaining Walls must be approved by the Committee.
- b. All lake retaining (seawalls) must be approved by Greenwood County Lake Management. A request for a lake retaining wall must be submitted to the Committee for approval prior to

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submission to Lake Management (Appendix 12, Dock/Seawall Construction Application). Lake Management will not accept Appendix 12 and 13 without the review/approval and signature of the Newport ACC.

2.4.20 Lakefront Home Elevations

The home elevation facing the lakefront must have equal architectural emphasis as the front elevation since they are considered to have two fronts.

2.4.21 Fences (Appendix 8)

Perimeter fences along property boundaries are prohibited. In general, the Committee will consider courtyard and enclosure fences with the following guidelines:

- a. No more than 4 feet in height (pool fences can be between 4 feet and 6 feet).
- b. Extend from a point no closer to the side lot line than the rear corner of the house.
- c. The depth of the courtyard or enclosure should be minimal depending on how visible it is from neighbors, but the final depth must be no less than 20' from the sea wall or lake for lakefront lots and 20' from the rear property line for interior lots and must be approved by the Committee.
- d. For lots 160 -181 on Boardwalk, consideration is to be given regarding property ownership for determining the setback for fence installation.
- e. The material must be black decorative wrought iron, powder coated aluminum or equivalent.
- f. Wooden, vinyl or chain link fences are prohibited.
- g. Property Owner must submit a plan of the proposed fence including location of house, current vegetation, and location of fence with dimensions for Committee approval.

2.4.22 Sheds

- a. Sheds are only permitted on interior lots. (Sheds not permitted on lake lots to include Boardwalk lots 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, and 176.)
- b. Shed size is limited not to exceed 10x15 feet (150sf).
- c. Sheds will be painted the same color and design as the house.
- d. Sheds will be located on the rear of the property maintaining the established easement distance from adjacent property lines. Location will be approved by the Committee.

2.4.23 Additional items

- a. Fines may be assessed when a violation of one or more of the ACC Guidelines occur. A warning (Appendix 16) for each offense will be sent to the homeowner's email address on record to advise of the matter to be addressed. If a response is not received within 48 hours of the warning being sent, fine(s) will be assessed from the date of notification.
- b. Basketball hoops/Sports equipment are not to be placed in the street.
- c. Permanent parking on the street is not permitted. Temporary visitor parking to accommodate guests is allowed. Streets and roadways are not wide enough to accommodate long term parking. Be courteous to your neighbors.

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2.5 Construction on Lake Greenwood

2.5.1 Greenwood County Requirements

- a. All new construction as well as any improvements, for/to piers, docks, boat lifts, seawalls, decks, etc. which encroach on Lake Greenwood are subject to the approval of Greenwood County Lake Management Department.
- b. Prior to start of any such construction, written evidence of Committee approval must be submitted to the Greenwood County Lake Management.
- c. A written description, drawing, and signed Lake Management Form detailing the work to be done must be provided to the Committee for review. A completed copy of Dock and Seawall Construction (Appendix 12) must also be submitted.
- d. The Committee will provide a letter and signed copy of the Lake Management Form.
- e. **Please note: Lake Management has the final authority/responsibility for approvals and the enforcement of the requirements, ordinances, and resolutions. Approval by the Newport Architectural Control Committee alone does not authorize any construction which encroaches on Lake Greenwood.**
- f. New dock application (any lot currently without a dock) requires a sign fee paid to Lake Management prior to the issuance of a lake management dock permit. For this current fiscal year, the fee is \$10. For pre-existing docks being replaced with another dock, please remember to remove the dock sign to avoid having to pay for a replacement sign.
- g. **DOCKS MUST BE CONSTRUCTED A MINIMUM OF 15 FEET FROM ADJACANT PROPERTY LINE.**
- h. Boat ramps from residential property are prohibited.

NOTE: No approval is necessary for maintenance of existing approved dock structures if no modifications are being made.

2.5.2 Docks / Seawalls (Appendix 12)

All docks and seawalls must have prior approval by the Committee **and** Greenwood County Lake Management prior to construction.

The design should consider the constraints and opportunities of the site. The following must be considered during the design process:

- a. Views
- b. Existing Vegetation
- c. Utilities and Easements
- d. Adjacent Structures
- e. Setbacks
- f. Docks are restricted to 2 boats and 2 personal watercrafts.

2.5.3 Boat Docks, Slips and Boat Dock Roofs

- a. All boat house structures, including roofs, must comply with Newport established standards

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- pursuant to Greenwood County Resolution 2004-17 allowing the County to approve more restrictive regulations for encroachments by “the governing body” of a homeowners or property owners association for a subdivision or neighborhood located on Lake Greenwood.
- b. The Newport Property Owners Association (NPOA) is such a governing body and has the authority in its Covenants and Restrictions for such supplemental restrictions to be established by its Architectural Control Committee. The enforcement of these supplemental restrictions is the sole responsibility of the NPOA, in accordance with County Resolution 2004-17.
 - c. Greenwood County has approved the following supplemental NPOA restrictions for boat slip roofs for the Newport subdivision, which are constructed on or after April 1, 2016:
 1. Boat slip roofs must be green in color and consist of either 27- or 29-gauge metal.
 2. Roofs must be hip roofs with a 4/12 pitch; gable roofs are not acceptable.
 3. Shared docks may have separate covers over each slip or a single cover over two slips as approved by the Committee and Lake Management.
 4. Dock colors that are natural to the materials used are preferred. Colors are to be submitted to the Committee for approval, included in Appendix 12, 13 along with the permit application form.
 5. The number, size and type of slips are limited by the Greenwood County Lake Management.
 - d. Refer to Dock/Seawall Construction Application (Appendix 12) and Certificate of Approval - Dock Seawall Construction/Alteration (Appendix 13). A copy of the Greenwood County Permit must be posted on work site as well as a copy needs to be submitted to the Newport ACC before any work begins. Failing to do so is a fineable offense (\$100/day).



DOCK PERMITS ARE REQUIRED BY GREENWOOD COUNTY LAKE MANAGEMENT PRIOR TO INITIATING CONSTRUCTION OF ANY ENCROACHMENT (DOCK OR PIER) OVER THE WATER BEYOND THE BULKHEAD OR SEAWALL. THE PERMIT MUST BE POSTED/DISPLAYED ON SITE

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2.5.4 Dock Maintenance

- a. All owners who have docks on their property, must maintain said structures in good repair and keep same safe, clean, and orderly in appearance at all times, and further agree to paint or otherwise treat with preservatives all wood or metal located above the high-water mark, exclusive of pilings, and to maintain such paint or preservatives in an attractive manner.
- b. The Committee shall be the judge as to whether the docks are safe, clean, orderly in appearance and properly painted or preserved in accordance with reasonable standards; and, where the Committee notifies the Owner in writing that said dock fails to meet acceptable standards, said Owner shall thereupon remedy such condition within thirty (30) days to the satisfaction of the Association.
- c. Failing to remedy such conditions, in accordance with the authority stated in the Covenants, the Association may make the necessary repairs or take such actions as will bring the said dock up to acceptable standards. All such repairs and actions to be at the expense, solely, of the Owner in question.
- d. If the Owner fails or refuses to reimburse the Association for any such expenditures within thirty (30) days after being invoiced for same, the Association shall be entitled to collect same in a court of competent jurisdiction, and shall likewise be entitled to recover all costs and expenses of collection together with reasonable attorney fees and together with a late charge equal to 1½% per month of the amount of such invoice from the date of said invoice until fully paid.

2.5.5 Entry Not Trespass

Whenever the Association is permitted by these Covenants to correct, repair, clean, preserve, clear out or do any action on the property of any Owner, or on easement areas adjacent thereto, entering the property and taking such action shall not be deemed a trespass.

2.6 Construction Guidelines

- a. All residential construction at Newport will be under observation by the Committee.
- b. Field inspections conducted by the Committee during construction will ensure that the contractor and owner are adhering to these guidelines and the Covenants.
- c. A Final Inspection for Compliance will occur only after the homeowner/builder has received their Certificate of Occupancy from Greenwood County and before move-in and completed and submitted Appendix 9 Certificate of Compliance. Failing to do so is a fineable offense. (\$100/day.)
- d. Entering upon lot or into buildings under construction shall not constitute a trespass.

2.6.1 Required Before Construction

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

- a. Obtain final letter approval for construction.
- b. Obtain an approval of site stake-out.
- c. Provide the Committee with proof of Insurance (Builder). (Appendix 14)
- d. Obtain all permits required by Greenwood County and submit a copy of each to the Newport ACC prior to the start of any work. Not doing so will result in a daily fine. (\$100/day.)

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- e. Erect an approved job sign and post all building permits so that they are visible from the road. Post a job box with address to include copies of permits and plans inside.
- f. Every construction site must have a freestanding sign identifying the contractor. The sign must be in accordance with paragraph 2.4.16. Signs may be placed on the lot no closer than 15 feet and parallel to the edge of the street. No other signs (including subcontractors, i.e., pest control, etc.) are permitted. No signs or permits shall be attached to trees.
- g. If a temporary storage unit/office is needed, it must be no larger than 1,000 square feet with a maximum height of 10 feet. The unit must be in acceptable condition and may be rejected by the Committee.

2.6.2 Required During Construction

- a. Each contractor is responsible for maintaining a clean and orderly job site as well as for any materials, trash or debris falling from vehicles going to or from the construction site.
- b. All construction materials must be stored in a neat and orderly manner and must be kept totally within the property lines and at least 20 feet from the edge of street.
- c. 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.
- d. Offloading of heavy construction equipment, vehicles, and materials to be performed from the delivery vehicle onto the construction site rather than onto the roadway surfaces, whenever possible.
- e. Each construction site must have or adhere to the following:
 - 1. Have a job toilet placed on lot at least 10 feet from the edge of the street in an inconspicuous location with the door facing away from the street.
 - 2. 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.
 - 3. Temporary utilities shall be installed in a neat manner. Temporary power poles must be installed plum and not utilized for the placement of signs.
 - 4. During construction, trees and common areas must be protected (by barricades if necessary).
 - 5. Control on-site erosion from disturbed ground by constructing silt fences as required by site topography including areas to be landscaped to protect adjoining landowners and to prevent material from reaching Lake Greenwood as required by Greenwood County Ordinance 2019-06. The only opening should be for a construction driveway.
 - 6. The name of the building contractor, lot number, copy of building permit shall be placed in a job box on a post, located to the front of the job site facing the roadway. Any deviation from this requirement must be approved by the Committee.
 - 7. Silt fencing must be maintained in good working order and use bailed hay to augment silt runoff control if necessary.

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Example of **Required Erosion Control** using silt fence and rock driveway

- i. Maintain natural drainage paths in functioning condition. Divert runoff as required. Construct temporary driveways and parking areas to maintain proper drainage with a gravel surface.
 - ii. Construction driveways: **Driveways must be rocked to the front of the house foundation starting from the road** and have a minimum 4" stone depth to help remove mud from vehicle tires before entering main roads. If required, additional stone must be added to maintain and prevent muddy vehicle tracks from reaching the road. Contractor(s) will **keep** ensure paved roads are clear of muddy tracks during construction; frequency as required.
- f. Construction workers including all sub-contractors shall confine the parking of their vehicles as close to the construction site as possible. Vehicles shall be parked only on future driveway or parking area to avoid damage to existing vegetation. If workers need to park on road, park on one side only in the same direction as passing traffic.
 - g. Any damaged road or roadside, including curbs, oil leaks, etc. must be addressed and corrected to pre-construction conditions.
 - h. Owners and contractors are responsible for seeing that their construction workers, sub-contractors, and suppliers obey all traffic and security regulations at Newport.
 - i. Access to Newport is controlled by Newport Property Owners Association. Construction workers, sub-contractors and suppliers are allowed access to and from the construction site only and are strictly forbidden from riding about the development.
 - j. **The normal hours allowed for construction are 7:30 a.m. to 7:00 p.m., Monday through Saturday.** If it is necessary for construction workers, sub-contractors or suppliers to be working before or after hours, the contractor must arrange for special permission from the Committee in advance.
 - k. The adjacent neighbors must be notified by the Committee in case of work outside of the established hours.
 - l. **There will be no workers, sub-contractors or suppliers allowed in Newport on Sundays and the following Federal Holidays (New Year's Day, Memorial Day, Independence Day-July 4th, Labor**

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- Day, Thanksgiving, Christmas Day).
- m. 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.
 - n. Because Newport is a private community, contractors and their employees, sub-contractors or suppliers shall not have the use of any of the private facilities including parks, fishing areas or any other area designated for exclusive use of property owners and or their guest. Persons fishing must be guests of a Newport resident.
 - o. Entry Not Trespass
Whenever the Association is permitted by these Covenants to correct, repair, clean, preserve, clear out or do any action on the property of any Owner, or on easement areas adjacent thereto entering the property and taking such action shall not be deemed a trespass.
 - p. Failure to adhere to one or more of the above will result in notification to the homeowner who in turn must advise the contractor of the violation. Failure to correct any situation will result in a fine to the homeowner.

2.7 Your Home, Your Neighborhood

The Committee strongly encourages each homeowner to personalize their home and their yard. Please ensure front porch and yard decor are consistent with the "look and feel" of the neighborhood.

In adherence with the Covenants, Trash containers and/or recycle type cans to be in place for trash pickup the evening prior to next day collection and subsequently removed that same collection day/evening following collection/trash pickup. Containers must be stored out of sight either within a fenced blind or inside area such as a garage or shed.

For the safety of our residents and guests, if you have a concern regarding suspicious activity, legal issues that include but are not limited to theft, disorderly conduct, lewd behavior, etc., owners should contact the proper authorities (sheriff, police, etc.) so the issue may be properly addressed and resolved. Speeding over the posted speed limits is unlawful. Speeding is monitored by the Greenwood County Sheriff's Department.

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