

Tidewater Creek HOA

Architectural Guidelines

Revised February 2023

1 Overview

Article V of the Covenants, Conditions and Restrictions for Tidewater Creek HOA provide mechanisms by which the Association may protect the Community Wide Standard and overall aesthetic appeal within Tidewater Creek.

The Article provides that the Board and/or Architectural Review Committee may publish guidelines to govern modification requests within the community and that these guidelines may be amended from time to time to adapt to the changing needs of the community.

These guidelines then, as adopted by the Board of Directors for Tidewater Creek HOA, govern all exterior modifications within the Community and no exterior modification other than those listed here may be made without approval.

While it is difficult to anticipate every possible modification request that will be received, this document is meant to be a comprehensive guide. The key component of Article V is that no modification may be made without approval. If a prospective modification is not addressed herein, that does not mean it is approved without application.

Certain modifications are given express approval herein, no application is required. These are indicated throughout the document. Adherence to the terms under which they are approved is mandatory. Any deviation from these terms must be approved before any work may begin and failure to adhere to the listed terms may result in fines and a requirement to correct the violation as prescribed in the uniform policy for enforcement.

Modification Requests will be considered according to the terms prescribed in Article V of the Covenants, Conditions and Restrictions for Tidewater Creek HOA. The timeframe within which a decision must be rendered for each request is based on the date of receipt of complete, accurate modification

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requests. Incomplete or inaccurate requests are automatically denied. Owners who submit an incomplete request will be contacted with a request to provide the necessary information to render a decision. Requests submitted without the signature of the Owner of Record are deemed incomplete. Only when a complete and accurate request has been submitted by the Owner will the review process begin and the Architectural Review Committee will communicate a decision within 45 days.

Owners with delinquent account balances are required to bring their balance into current status before submitting a modification request. Requests submitted by Owners with delinquent balances are automatically denied unless specifically stated otherwise, in writing from the Tidewater Creek HOA Board of Directors. As defined in the recorded Declaration of Covenants, Conditions and Restrictions, a delinquent balance is defined as any account balance more than 30 days past due.

In certain cases, where extensive review is required and/or where professional services are needed to render a decision, a fee may be required to gain approval. ***In no case will any Owner be subject to any fees without their prior, written consent.***

An approved ARC Application is the only permissible authorization to begin work. Neither the Board of Directors nor any other agent of the HOA Association may grant verbal approval at any time. An indication that a proposed project will likely be approved does not constitute permission to begin work. As well, approval from any applicable regulatory agency does not constitute approval to begin work if approval has not been granted by the Tidewater Creek HOA Board of Directors.

The Tidewater Creek HOA Board of Directors and/or Architectural Review Committee will render a decision based on criteria within its authority only. As such, approval from the Board/ARC does not necessarily constitute all of the approvals, licenses or permits required to complete the project. It is the Owner's sole responsibility to discover which agencies have authority over the

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proposed modification and to obtain all of the necessary approvals from each before beginning work.

2 Prohibited Items

Items listed in this section are prohibited in Tidewater Creek. Applications to construct or place any of these in Tidewater Creek HOA are automatically denied without any requirement for review or notification to applicant. This list may be expanded upon by the Board of Directors of Tidewater Creek HOA.

- Conversion of any carport or garage to finished space for habitable use
- Above ground swimming pools

3 Fences

*Approval is require

- All Fences must be approved by the ARC and approval must be in writing. Under no circumstances shall the ARC approve the erection or construction of a fence that does not meet the following minimum requirements: (i) privacy fences must be constructed of natural treated wood, brown vinyl, or white vinyl and non-privacy fences must be constructed of black wrought iron/aluminum metal; and (ii) privacy fences must be six feet (6.0') to extend from a) the rear corner of the dwelling to the rear property line or b) the front of the HVAC unit to the rear property line, subject to ARC Approval. Properties that share a boundary with a wooded lot may build 4 feet (4.0') privacy fence along rear property line (iii) non-privacy fences may be 4 feet (4.0') or 6 feet (6.0'), subject to ARC approval.
- The ARC may also approve a fence used to screen along the side of the home such that homeowner may store items from view. The width of the fenced in area must be no wider than to the edge of the HV AC unit and the height must be a minimum of four feet (4.0'). The material must be the same material used when/if a backyard fence is installed.

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4 Landscaping

This section will be broken into parts with separate requirements for each. The Board of Directors encourages owners to enjoy their property and plant as they see fit within these guidelines:

Established Planting Beds

- *No Approval is required
- *Owner assumes responsibility to replace newly planted material
- No approval is necessary if planting annual flowers, replacing existing plants, or adding plant material that compliments the overall aesthetic.
- Planting any material larger than the existing landscape requires approval.
- Invasive species, plants that do not typically thrive in the climate and soil conditions on the property, those that risk uncontrolled reproduction beyond your planting area and those that otherwise jeopardize the existing ecosystem are not permitted.

Hardscapes

- *Approval is required
- *Owner assumes maintenance of the modification

The installation of hardscapes such as patios, walkways, planting beds, landscape walls, planter boxes and similar items must be carefully considered before a Modification Request is submitted.

These often require light grading, the use of power equipment and/or professional installation.

To ensure that no consequential damages to neighboring or Association property occur, owners may be required to contact various regulatory agencies with permitting authority and/or utility location services.

Hardscapes should complement and improve upon the existing landscape. They should blend into the area to maintain harmony with neighboring landscapes.

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Landscape Summary:

It is impossible to list and describe a steadfast guideline for each and every property. Often times, a suitable solution for one property may not be such for another. Because of this, the guidelines for installation of landscaped and features are written to encourage Owners to consult with professionals in order to design harmonious modifications, choose complimentary materials and ensure proper installation.

5 Replacements and Repairs

Replacement and repair of roof and siding elements due to damage does not require approval unless materials and colors differ from the original construction or previously approved modification. Before hiring a contractor for replacement repairs, Owners are encouraged to review their warranty information. Repairs and replacements of items under the Owner's responsibility such as HVAC systems and utility lines do not require approval as long as the materials, specification and location do not change.

6 Satellite Dishes

*Approval is required

- Dishes must be installed out of sight of the front of the home and in the least conspicuous location.
- Dishes must be 1 meter or less in diameter.
- The dish must be of standard color, reasonably compatible with others in the community.
- Dishes may not be installed in front yards.
- Dishes must be screened from view to a suitable degree as determined by the Board of Directors.
- Each owner is responsible for making sure their installer buries all cables associated with the installation.

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7 Boats

*Approval is required

- Boats must be 24 feet or less in length
- Boats must have a current registration and must be on trailer that is road worthy (functional)
- Boat and trailer must adhere to Exhibit "C", Rule 2(t), Unsightly Structures

8 Golf Carts/Low Speed Vehicles

*Approval is required

- Owner must provide proof of registration with the State of South Carolina
- Owner must provide proof of insurance
- All drivers must hold a valid driver's license
- No outside person(s) can operate a golf cart/low speed vehicle within the TWC Subdivision while visiting a TWC homeowner
- All golf carts/low speed vehicles must adhere to traffic regulations and posted speed limits
- Golf carts/low speed vehicles are to be stored in the homeowner's garage or inside a backyard privacy fence.

9 Miscellaneous

*Approval is required

- Tree removal
- Swing set, trampolines, play equipment
- Clothes lines
- Pools/Hot tubs
- Gazebos, playhouses, tool sheds
- Docks/Piers

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These Guidelines, as adopted by the Tidewater Creek HOA Board of Directors this _____ day of _____ 2023 replace any previously adopted versions. The Board of Directors for Tidewater Creek HOA reserve the right to amend these guidelines from time to time.

By:

Tidewater Creek HOA Directors

Date