



## **Architectural, Landscape, and Lake Buffer Guidelines**

Revised May 30,2016

(Revised sections marked with \* in table of contents)  
Waterford Pointe Owners Association

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\*Revised May 30,2016

# **ARCHITECTURAL, LANDSCAPE, AND LAKE BUFFER GUIDELINES**

## **INTRODUCTION**

These Architectural and Landscape Guidelines (the "Guidelines") have been prepared by the Architectural Control Committee (the "ACC") for the residential community known as Waterford Pointe. The Guidelines are contemplated in and are promulgated pursuant to that certain Declaration of Covenants, Conditions and Restrictions for Waterford Pointe (the "Declaration"). The Guidelines consist of six components: Architectural and Design Guidelines, Landscape Guidelines, Lake Buffer Guidelines, Pre- and Post-Construction Period Improvements, Construction Rules, and Schedules and Guides as set forth below. All defined terms used in the Guidelines, as indicated by the initial capitalization thereof, shall have the same meaning ascribed to such terms in the Declaration, unless otherwise specifically defined herein.

The Guidelines shall be employed in conjunction with the Declaration. If the terms of the Declaration and the terms of the Guidelines expressively conflict, then the terms of the Declaration shall control and prevail; provided, however, the mere fact that the terms of the Guidelines may be more restrictive than the terms of the Declaration, or vice versa, shall not be construed as an express conflict, and in such case the most restrictive provision shall control and prevail. Of course, in the event governmental or quasi-governmental rules, regulations or requirements that are applicable to Waterford Pointe are more restrictive or more stringent than the terms of the Declaration and/or the terms of the Guidelines, the applicable governmental or quasi-governmental rules, regulations or requirements shall control and prevail.

The ACC may retain professionals to assist in design reviews and for the implementation and application of the Architectural, Landscape and Lake Buffer Guidelines.

## **DESIGN PHILOSOPHY**

The Guidelines have been developed to implement the design philosophy of Waterford Pointe, namely, to blend structures, Lake Keowee ("the Lake"), and residents' lifestyles into a harmonious and aesthetically pleasing residential community that places a strong emphasis on the preservation and enhancement of the natural beauty of Waterford Pointe. The Guidelines are intended to provide direction to Lot Owners and builders in the planning, design, and construction of residences and related Improvements on Lots. The purpose of the Guidelines is not to create look-alike residences and other Improvements or to suggest that all residences employ the same colors, styles, and materials. Rather, the primary emphasis of Waterford Pointe is on quality of design and compatibility among all Improvements, without unduly restricting the ability of Lot Owners to exercise individuality in their choice or design of a residence and related improvements. The ACC will be open to and encourage creativity, innovative use of materials and design and unique (if appropriate) methods of construction as long as the final result is consistent with the spirit of the Guidelines and the guiding philosophy of Waterford Pointe. The authority of the ACC to approve or disapprove plans, specifications and drawings for residences, related improvements and landscape improvements is provided by the Declaration.

The Guidelines have been established to provide Lot Owners and their design professionals and builders with a set of parameters for (i) the preparation of plans, specifications and drawings for the construction of residences and related Improvements on Lots ("Building Plans and Specifications"), (ii) for the installation of landscape improvements on Lots ("Landscape Plans and Specifications"), and (iii) the general application of the "Lake Buffer Guidelines". Each Lot Owner and each Lot Owner's building team should become familiar with the Guidelines and the process set forth herein for the submittal, review and approval of Building Plans and Specifications and Landscape Plans and Specifications (together, "Plans and Specifications"). Lot Owners and their builders are encouraged to consult the ACC with questions regarding the application of the Guidelines to the Lot Owners' design concepts prior to the initiation of any design work.

The ACC has been created to explain and assist in the design review process as well as to review, approve, or disapprove Plans and Specifications. The ACC's objective is to maintain a pleasing aesthetic relationship of building to site and building to building and not to restrict individual creativity or preferences. The ACC will use the Guidelines for the purpose of reviewing each design, but the ACC may consider creative and innovative approaches in order to address special site conditions or circumstances, provided such approaches are permitted under the Declaration and are otherwise consistent with the spirit of the Guidelines.

## **FUTURE AMENDMENTS**

The ACC may amend any or all provisions of the Guidelines periodically and at any time, with approval of the Waterford Pointe Board of Directors (the "Board"). Also, the ACC has the authority to rule on all issues on a case by case basis, taking into account the fact that these Guidelines are to be used as benchmarks for policies and procedures, and may be interpreted from time to time by the ACC to reflect certain circumstantial issues. Any owner has the right to appeal ACC decisions to the Board in accordance with the Covenants Section 10.5.3.

All Building Plans and Specifications and all Landscape Plans and Specifications shall be prepared in compliance with the most current version of the Guidelines (and all amendments thereto) that has been promulgated by the ACC at the time such Building Plans and Specifications and Landscape Plans and Specifications are prepared.

# 1 ARCHITECTURAL AND DESIGN GUIDELINES

## 1.1 PROCEDURES AND APPROVALS

### 1.1.1 Architectural Review Process

Prior to the commencement of any construction activity of any type (including any grading work, tree clearing or installation of permanent improvements) on any Lot, an Application for Approval (using a form to be obtained from the ACC) of such work must be submitted by the Lot Owner or such Owner's designated agent to the ACC. The ACC must receive, review and approve the information and documentation required to be submitted under Section 1.1.3 herein entitled "Design Review Procedure" prior to the commencement of any such work. Also, all design and construction escrow deposits and fees required under the Architectural and Design Guidelines must be paid to the ACC prior to the commencement of any such work.

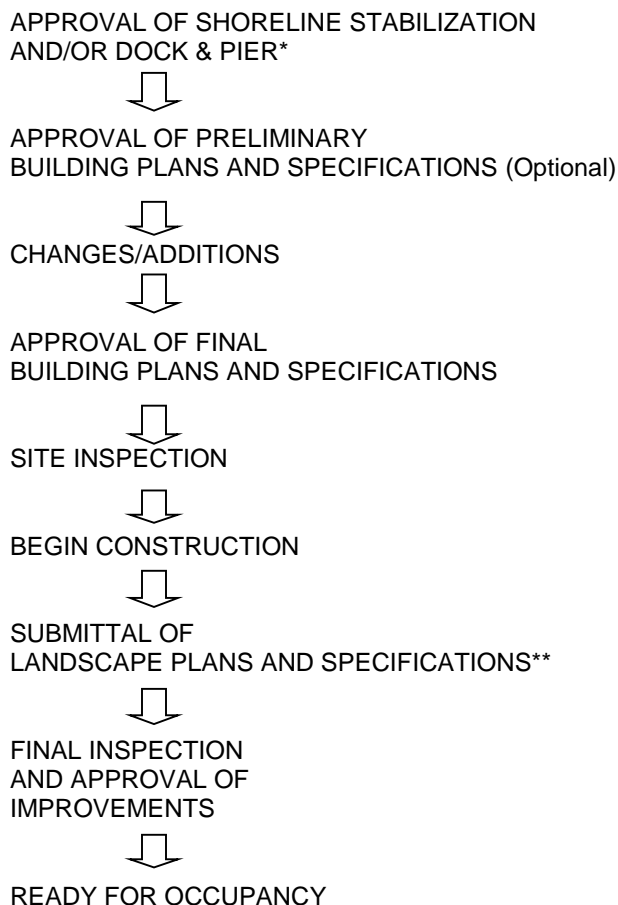
### 1.1.2 Pre-Application Procedure

Oconee County has jurisdiction over the community at Waterford Pointe. Each Lot Owner or a representative of each Lot Owner should contact Oconee County and its Buildings Codes Department at the beginning of the planning and design process relative to such Owner's Lot to ensure compliance with the rules, regulations and standards of Oconee County. Compliance with all governmental and quasi-governmental rules, regulations and standards is the obligation of each Lot Owner and the Lot Owner's builder. Owners and builders should not assume, however, that compliance with the rules, regulations and standards of Oconee County and other governmental and quasi-governmental authorities will satisfy all requirements of the ACC.

### 1.1.3 Design Review Procedure

The successful completion of the design review procedure under the Architectural and Design Guidelines will be facilitated by reviewing and complying with the requirements outlined in the Architectural and Design Guidelines and by reviewing and following the step-by-step design review format described below. The review format has been structured to achieve a smooth and timely review from preliminary plan submittal to final site inspection and approval.

The following flow chart represents the necessary procedures in the process of building a residence in Waterford Pointe:



\* May be conducted at any time before, after or during the building process (Addressed more specifically in the Lake Buffer Guidelines).

\*\* Addressed more specifically in the Landscape Guidelines herein.

#### 1.1.4 Review of Preliminary Building Plans and Specifications

The ACC encourages Lot Owners and builders who are building in the Waterford Pointe community for the first time to participate in the Preliminary Building Plans and Specifications review process. Although not required, the Preliminary Building Plans and Specifications review process may help avoid unnecessary expense and delay by expediting later phases of the Building Plans and Specifications review process. The ACC will review with the Lot Owner or the Lot Owner's representative such Lot Owner's proposed design approach to confirm general compliance with the Architectural and Design Guidelines and the appropriateness of the design concept. To fully utilize the Preliminary Building Plans and Specifications review process, the lot owner and or representative must submit Schedule A and the appropriate plans as described within.

The ACC shall review the Preliminary Building Plans and Specifications and return them to the Owner marked "Approved", "Contingent Approved", or "Disapproved," as the case may be. As to any Preliminary Building Plans and Specifications that are marked "Approved" or "Contingent Approved" by the ACC, Final Building Plans and Specifications produced thereafter must be in substantial conformity therewith; provided, however, the ACC's approval of Preliminary Building Plans and Specifications shall in no way bind or obligate the ACC to approve the subsequent Final Building Plans and Specifications.

#### 1.1.5 Review of Final Building Plans and Specifications

Before the initiation of any construction within Waterford Pointe the owner and or the owners representative must complete and submit the Application for Final Design Approval (Schedule B). The requirements for plans, septic permit and installation (See Section 1.5.4), material specification, fees, deposits and other items are outlined on the form.

To respond to any questions that the ACC may have relating to such Lot Owner's Building Plans and Specifications, each Lot Owner and the builder who has submitted Building Plans and Specifications for review is encouraged, although not required, to attend the ACC review meeting at which such Lot Owner's Building Plans and Specifications will be reviewed.

As set forth above, each Lot Owner will be charged a Design and Construction Fee (see schedule Q). The fee, shall be paid by check and shall be made payable to WPOA. With approval of the Board, the ACC shall have the right to increase the amount of the fee from time to time as stated in the Declaration and these Guidelines. The Design and Construction Fee is intended to fully cover the expense incurred by the ACC in reviewing Building Plans and Specifications, and for the activities involved in operations and compliance. These expenses may include compensating any consulting architects, landscape architects, urban designers, inspectors, attorneys, compliance specialists or other professionals retained by the ACC.

All required items listed above, along with any other materials, necessary for the ACC to review Building Plans and Specifications, shall be sent to:

Waterford Pointe Owner's Association (WPOA)  
Waterford Pointe ACC  
215 Amenity Way  
Seneca, SC 29672

The submittal of Final Building Plans and Specifications shall incorporate all of the requirements stated in the Application for Final Design Approval form, a copy of which is attached hereto as Schedule B, and other portions of the Architectural and Design Guidelines as well as comments from previous meetings and design reviews.

If found not to be in compliance with the Guidelines or if found to be otherwise unacceptable to the ACC, one (1) set of the Final Building Plans and Specifications shall be returned to the Lot Owner marked "Resubmit" or "Disapproved", accompanied by a written statement of items found not to be in compliance with the Guidelines or to be otherwise unacceptable to the ACC. If the first re-submittal of Final Building Plans and Specifications occurs more than a year from the original submittal of the Final Building Plans and Specifications, such re-submittal shall be accompanied by another

Processing Fee (see schedule Q); also, each re-submittal of Final Building Plans and Specifications in excess of three (3) submittals (including both the original submittal and any re-submittals) shall be accompanied by a Supplemental Processing Fee listed in Schedule Q.

At such time as the Final Building Plans and Specifications are approved (or conditionally approved) by the ACC, one (1) complete set of the approved Final Building Plans and Specifications shall be retained by the ACC and the other complete set of the approved Final Building Plans and Specifications shall be marked "Approved as Submitted" or "Approved as Noted" and returned to the Lot Owner, along with a written statement with design comments. Once the ACC has approved Final Building Plans and Specifications for Improvements to be constructed on a particular Lot, the construction of such Improvements must be promptly commenced and diligently pursued to completion. If such construction is not commenced within one (1) year following the date of approval of the Final Building Plans and Specifications by the ACC, the approval of such Final Building Plans and Specifications by the ACC shall be deemed rescinded. In the event of any such rescission of the ACC's approval of Final Building Plans and Specifications pursuant to the immediately preceding sentence, construction of Improvements on such Lot may be commenced thereafter only after resubmission and approval by the ACC of Final Building Plans and Specifications.

A certified foundation survey may be required by the ACC for verification of house location within setbacks. If not submitted within 30 days, the ACC may use funds from the Escrow Deposit to comply with this requirement.

#### 1.1.6 Lot Staking, Site Inspection and Approval to Commence Work

Once Final Building Plans and Specifications approval has been granted by the ACC, the Lot Owner or the Lot Owner's representative shall stake the Lot for review and approval by the ACC prior to commencing any construction work thereon (including grading work). The Lot Owner or the Lot Owner's representative must clearly stake the proposed house and property lines, the house septic system drainfield envelope (both the primary field and the repair area) and, if applicable, the Lake Buffer Area (as defined herein). Staking shall be with a continuous ribbon or string. After such staking of the Lot has been completed in accordance with this Section 1.1.6, and the Landscape and Lake Buffer Guidelines, the Lot Owner or the Lot Owner's representative shall request the ACC to make a site inspection and to establish the Clearing Limits prior to the commencement of clearing and construction work on the Lot. Clearing Limits is the area within the lot which will define the home footprint and construction and drainfield areas that may be cleared. Trees located outside the Clearing Limits may not be cut down, damaged or otherwise removed without specific written approval of the ACC. Trees for purposes of these Guidelines shall mean the following:

Figure 1.1.6

Tree Type	Diameter (Measured 12 Inches above Ground Level)
Evergreen	4 Inches or Greater
Deciduous	4 Inches or Greater
Dogwoods and other flowering trees	1.5 Inches or Greater

The primary purpose of the site inspection by the ACC is to ensure compliance with the approved Final Building Plans and Specifications and to prevent any unnecessary damage to specimen trees and other unique site features. Please refer to the Landscape Guidelines and the Lake Buffer Guidelines regarding requirements and restrictions relating to tree and vegetation protection and removal. In addition to the foregoing matters, the site inspection shall include a review of the following matters and issues:

Building setbacks (as per stakes)

Lake Buffer Area Location (as per stakes)

Side yards (as per stakes)

Clearing Limits

Placement of excavation materials

Protection of water meter and

Location of construction entrances

Location of temporary toilet

Location of trash containers

Erosion control measures (silt fences, hay bales, diversion swales, stone filter dams, etc., as required)

Inspection by the ACC shall be made within ten (10) business days of the date the request is received by the ACC. Authorization by the ACC to proceed with the Lot clearing and construction work will be issued to the Lot Owner or to such Lot Owner's builder by the ACC promptly after the inspection is completed; or, if problems are detected during the site inspection, written notification of such problems shall be given to the Lot Owner or such Lot Owner's builder by the ACC promptly after the inspection is completed. No construction activities (including, tree cutting, site clearing, and excavation) may be commenced prior to approval by the ACC. The ACC shall have the right to stop any unauthorized clearing and/or construction activities that are commenced on a Lot in violation of the terms and requirements of the Guidelines. Section 10.5.1 of the Covenants gives the right to inspect the property for compliance with all Guidelines with or without notification or permission of the Lot Owner. The ACC may delegate its site inspection functions under this section to Waterford Pointe's Operations and Compliance Manager.

#### 1.1.7 Failure of the ACC to Act

If:

(1) the ACC fails to (a) approve or disapprove any Final Building Plans and Specifications and other submittals that conform (and that relate to Improvements that will conform) with the requirements of the Guidelines and of the Declaration or (b) reject them as being inadequate or unacceptable within thirty (30) business days after receipt thereof,

(2) such submittal was a full and complete submittal, in accordance with the Guidelines and the Declaration, of all items that were to have been submitted to the ACC, and

(3) the ACC shall again fail to approve or disapprove of such Final Building Plans and Specifications and other submittals within ten (10) business days after additional written request to act on such items is delivered to the ACC following the passage of such first above-described thirty (30) business day period,

then it shall be conclusively presumed that the ACC has approved such conforming Final Building Plans and Specifications and other submittals.

However, the ACC has no right or power, either by action or failure to act, to waive or grant any variances relating to any mandatory requirements specified in the Declaration, and the ACC shall not be deemed to have waived any of the requirements set forth in the Declaration or any corresponding provisions in the Guidelines.

If Final Building Plans and Specifications or other submittals are not sufficiently complete or are otherwise inadequate, the ACC may reject them as being inadequate or may approve or disapprove part, conditionally or unconditionally, and reject or approve the balance. The ACC is authorized to request the submission of samples of proposed construction materials.

#### 1.1.8 Changes to Approved Plans

Once Final Building Plans and Specifications have been reviewed and approved, all changes must be submitted to the ACC for approval (as outlined in the Minor Change Application, attached hereto as Schedule D).

#### 1.1.9 Final Inspection and Construction Escrow Refund

Once all improvements have been completed, including landscape improvements, a final inspection must be conducted to ensure compliance with the ACC's approval of Final Building Plans and Specifications and Landscape Plans and Specifications. A request must be made to the ACC in writing to conduct a final on-site inspection (see the attached Schedule E). The Construction Escrow Deposit, will be refunded after this inspection has been conducted and all open issues are resolved (see section 1.5.2).

### 1.1.10 Variance

On a rare occasion a property owner may desire to request a variation to an ACC guideline or Waterford Pointe Covenant. This variation must be requested by use of the Variance form (Schedule S). A variation request must be submitted before any work related to the variance is started. A formal response to the variance will be provided to the property owner after a review. The variance will be considered with the recognition that approval is only applied to the request and will not be considered as a precedent for further requests. Each approved variance will be recorded in the property owners file for future reference.

## 1.2 SITE PLANNING

### 1.2.1 Site Analysis and Siting Considerations

The siting of a house is a critical and important design decision. The site plan concept developed for each Lot Owner (as part of the Plans and Specifications for such Owner's Lot) should reflect functional needs but also should be sensitive to the unique characteristics of the Lot as well as the unique characteristics of the surrounding neighborhood.

The ACC shall consider each Lot independently but shall give consideration to the impact of each individual Lot (and the Improvements proposed to be constructed thereon) on adjacent Lots and view corridors. Care must be taken to locate each structure, when and where possible, so as not to infringe upon adjacent Lots and structures constructed or to be constructed thereon, view corridors and natural amenities of the area. Consideration in this regard must be given to the following:

- 1) Topography of the Lot and other Lots in the vicinity
- 2) Distant and intimate views from the Lot
- 3) Distant and intimate views of the Lot from other Lots and from the Lake
- 4) Existing vegetation type and quality
- 5) Existing water and drainage patterns
- 6) Driveway access
- 7) Height of proposed structures on the Lot and existing and proposed structures on adjacent Lots and other Lots in the vicinity
- 8) Setback from street, lake, and sidelines to align with adjacent Lots
- 9) Septic System Location
- 10) Drainage

All structures should be sited so as to minimize disruption to the existing natural setting, including mature trees, drainage ways and view. However, unless otherwise approved by the ACC, no fence or wall shall be erected, placed or maintained on a Waterfront Lot that will substantially obstruct the view of any other Waterfront Lot.

### 1.2.2 Building Envelopes and Building Setbacks

Subject to other factors, the ACC considers the Lot's Building Envelope to be that portion of a Lot prescribed for the dwelling. The Building Envelope is generally defined as the space within the setbacks. In general, the front setbacks along public right of ways are 50 feet; (along streets that were originally identified as private streets, the front setbacks are 25 feet); side setbacks are 10 feet; and rear setbacks are 50 feet for waterfront Lots and 35 feet for interior Lots (see the recorded plats for specifics for each Lot). Other factors that might affect a building envelope are described below.

Within the Building Envelope, the residence and all other Improvements shall be located and tailored to the specific features of the particular Lot. All Improvements shall be located so as to minimize disruption or disturbance to the existing natural setting, including mature trees, drainage ways, and views. As part of the review and approval of Plans and Specifications, the ACC may require that the location and orientation of the house and other Improvements within the Building Envelope be modified. No building on any Lot (including any stoops or porches, patios, terraces, decks, etc.) and no swimming pool, or other recreational or athletic Improvement on any Lot shall be erected or permitted to remain outside of the Building Envelope for that particular Lot. Provided, however, and notwithstanding the foregoing to the contrary, docks, piers (including any gazebos proposed to be attached thereto) and boatslips are exempt from this Building Envelope restriction. Provided they are approved by the ACC in accordance with the applicable provisions herein; exterior steps at the front and rear of the structure may project into the setback area established by the Building Envelope

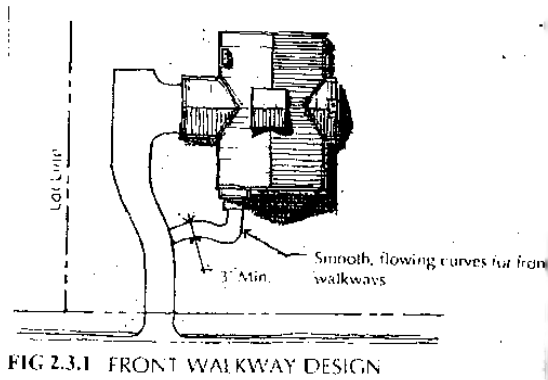
up to a distance of five (5) feet; and fireplace chimney structures projecting from the side of a dwelling may encroach eighteen (18) inches into the side yard setback established by the Building Envelope.

As set forth in the Declaration, the ACC shall have the right to make exceptions to any Building Envelope to recognize any special topography, vegetation, Lot shape or dimension, or other site-related condition.

### 1.2.3 Driveways, Sidewalks, and Utilities

The ACC may establish particular areas of the Lot in which the driveway, sidewalks, and utility lines must be located. The driveway location will vary from Lot to Lot, depending on the Lot size, shape, topography, vegetation, placement of the Building Envelope, sight distances at the entry to the adjacent public Roadway(s) and the locations of other houses and access driveways in the vicinity of the Lot. Driveways and sidewalks should be configured and curved, where practical, to accommodate existing trees, to avoid unnecessary cutting of existing trees, and to avoid a "straight shot" view to the garage, parking area or front or side doors of the house. In no case shall the side boundary of a driveway be located less than two (2) feet from a side boundary line of the Lot.

Figure 1.2.3



Driveways, sidewalks and walkways should be constructed of paver blocks/bricks, stone, stamped concrete, or lightly brushed concrete with a smooth taveled edge, unless another material is approved for a particular Lot by the ACC. On cul-de-sac Lots, circular drives with two (2) street entrances will not be permitted. Driveway width should be 12' except at garage backup area. (See Figure 1.2.3)

Requests for exceptions to the designated driveway, sidewalk and utility areas may be submitted to the ACC in writing. However, the ACC will consider proposed deviations only if their implementation will not result, in the judgment of the ACC, in an adverse impact upon the natural features of the Lot, neighboring Lots, or the Waterford Pointe community as a whole.

### 1.2.4 Easements

Landscape Improvements (as defined in the Landscape Guidelines) and the building of driveways or fencing within utility easements is permissible (unless otherwise prohibited by a recorded easement instrument). Provided, however, if in the future a need arises to disturb or remove such Landscape Improvements, driveways or fencing to access such utilities, such removal and any necessary repair and restoration shall be the responsibility of the Owner of the Lot.

### 1.2.5 Erosion and Sediment Controls

The design and development concepts of Waterford Pointe community call for the utilization and enhancement of the existing natural environment. The ACC is particularly conscious of the erosion and sediment disturbances that can occur during any clearing, grading or construction activity on a Lot. To help minimize erosion and sediment disturbances, as part of the Final Building Plans and Specifications, an erosion control plan (using erosion control measures such as silt fences, hay bales, diversion swales or stone filter dams, as required) must be designed in accordance with Schedule O attached hereto and must be incorporated within the site plan. Approval of the erosion control plan must be obtained from

the ACC (as part of the approval of the ACC of the Final Building Plans and Specifications) prior to any earth-disturbing operations on any Lot. Particular care must be exercised on Lots fronting the Lake to prevent any negative effect or impact upon the Lake and/or the Lake Buffer Areas. Erosion control measures implemented pursuant to an approved erosion control plan must remain in place until such time as all disturbed areas have been stabilized.

All erosion control plans submitted to the ACC shall be considered individually for each Lot. Recommendations or requirements of the ACC in that regard will be based on individual Lot location, terrain, soil conditions, vegetation, drainage, proposed cuts and fills, and any other conditions that the ACC determines will impact upon the possible erosion and sediment disturbances for the Lot. At a minimum, however, each Lot Owner shall be responsible for causing the following minimum erosion control practices to be implemented and maintained throughout the course of all earth-disturbing operations until final stabilization:

- a) **Roadway and Homesite Construction Entrance.** Prior to the commencement of any earth-disturbing operation, a stone construction driveway shall be installed on the building site (the "Construction Entrance"). The Construction Driveway shall: (i) if possible, be installed in the same location as the proposed driveway so as to minimize the amount of disturbed area; (ii) extend a minimum of 25 feet from an existing roadway; and (iii) be installed, preserved and replaced, if necessary, in accordance with the standards more particularly set forth on Schedule O attached hereto. During construction, each Owner shall use diligent efforts to minimize traffic traveling off of the driveway onto such Owner's Lot.
- b) **Silt Control Devices.** Prior to the commencement of any earth-disturbing operation, a diversion ditch and rock check (or stone filter) dam or other similar measures may be required by the ACC to be constructed and maintained on the building site (collectively, "Silt Control Devices"). The Silt Control Devices shall be located at the boundary of the estimated disturbed areas as set forth more particularly on Schedule O attached hereto and shall be constructed, preserved, and replaced, if necessary, in accordance with the standards set forth on Schedule O attached hereto.

In order to ensure the effectiveness of a particular Lot Owner's erosion control measures, the ACC shall have the right to enter any Lot to inspect any and all erosion control measures and to require additional erosion control measures, as necessary.

#### 1.2.6 Drainage

Drainage considerations for individual Lots play an important part in the ecological balance of the community. Generally, where feasible, each Lot should be graded such that all water draining from such Lot does not drain onto any adjoining Lots. Water runoff for each individual Lot can possibly be handled by adequately sloping all areas so that runoff can be directed to the natural drainage areas or storm drainage facilities. Water runoff and control is the responsibility of each Lot Owner relative to such Owner's Lot. The water runoff shall be handled in such a manner as not to adversely affect any neighboring Lots or the Lake. Particular care must be taken on Lots fronting the Lake and other amenity areas. Final Building Plans and Specifications for any Lot shall include a conceptual drainage plan for such Lot. The drainage plan shall include locations of gutters, downspouts and their drainage locations. Care must also be taken to insure that septic fields are clear of these run off locations.

### 1.3 ARCHITECTURAL DESIGN

#### 1.3.1 Architectural Style

The intent of the Architectural and Design Guidelines is to encourage the excellent design of a community of individual residences that, when viewed together, produce an outstanding total community environment. The Architectural and Design Guidelines does not intend to dictate a particular architectural style, but rather to provide Lot Owners and their architects with a set of Guidelines that will foster an attractive community.

The residential architecture at Waterford Pointe should work in harmony with the natural features of the surrounding terrain. Traditional architectural styles are preferred as the basis or foundation of the design.

However, contemporary interpretations of traditional designs are acceptable, provided they adhere to the criteria of the Architectural and Design Guidelines. The designs employed shall be compatible with traditional architectural styling in terms of make, shape, profile, scale, and proportion.

### 1.3.2 Quality Design Features

The homes in Waterford Pointe should reflect the individuality of their Owners while adhering to the principles of fine architecture. The following considerations are among those to be addressed when developing the architectural design for Improvements to be constructed on a Lot:

- 1.3.2.1 The residence shall be located on the Lot with minimum disruption to the natural topography, vegetation, and unique site features.
- 1.3.2.2 Site planning, architecture, and Landscape Improvements shall show consistency.
- 1.3.2.3 Sensitive interpretation of the architectural style is encouraged within the constraints of budget and site.
- 1.3.2.4 A consistent scale shall be used throughout the design of the residence and other Improvements, with each element designed in proportion to the other design elements.
- 1.3.2.5 The various building materials shall allow for a pleasing and harmonious exterior appearance for the residence and other Improvements. Building materials shall be used logically.
- 1.3.2.6 Appropriate colors shall be used, and colors shall be used with restraint.
- 1.3.2.7 The main dwelling entrance shall be located in a position of prominence that is reflected in the design of the facade. The main entry shall be sheltered on the exterior and shall include attractive front entrance treatment. The main entry shall contain more architectural detail than other openings and entries, but all openings and entries shall be consistent in styling.
- 1.3.2.8 Consistency of detailing on front elevations shall be maintained. Windows and doors shall reflect restraint in the variety of types, styles, and sizes. Window grids in the front may be required if the style of the home warrants it. All front openings shall be accented with the use of shutters, flat or arched lintels, projecting sills or relief surrounds.
- 1.3.2.9 Bay windows shall be carried down to grade or visual support of any cantilevered conditions must be expressed. When bay windows are stacked in a two-story configuration, the blank panel between all facets shall be accented.
- 1.3.2.10 No roof shall extend continuously to cover both single and two-story sections of a residence. The primary objective of this architectural guideline is to avoid the appearance of a single-story facade with a two-story rear elevation.
- 1.3.2.11 The main roof shall have a minimum slope of eight (8) vertical to twelve (12) horizontal. Shed roof forms are discouraged. Roof shapes and configurations shall be planned to avoid complex, awkward, or odd roof designs.
- 1.3.2.12 All roof structures (such as attic vents, and plumbing vents) shall be painted black or to match color of roof, except that flashing applied to vertical surfaces may be painted to blend with the vertical materials where more appropriate.
- 1.3.2.13 All exterior utility service connections must be provided in unobtrusive and inconspicuous locations. All electric meters and main fuse boxes must be positioned away from view. Concealment may be accomplished by providing an enclosed recess in the side of the dwelling or through approved Landscape Improvements and/or screening.
- 1.3.2.14 Exposed electrical equipment, stubouts, conduit, drain lines, pipes and vents must be painted to match the color of the home. Exterior disconnects for air conditioning and other equipment shall be mounted at the lowest point allowed by applicable building codes.
- 1.3.2.15 Gas meters must be adequately screened with Landscape Improvements to conceal equipment from view.

## 1.4 DESIGN CRITERIA

### 1.4.1 Dwelling Type

Each Lot may contain only one single-family private dwelling. Due to the topography in the area, slab foundations are not recommended.

### 1.4.2 Dwelling Size

The square footage requirements set forth below are for enclosed finished or improved floor area and are exclusive of the areas in heated or unheated basements, vaulted ceiling areas and attics, unheated porches of any type, attached or detached garages, porte-cocheres and unheated storage areas, decks and patios.

Any dwelling erected upon any Lot shall contain not less than the following heated floor areas:

Figure 1.4.2

All Lots.	Minimum Total Heated Area	Minimum Ground Floor Heated Area
1 Story, (excluding walkout or regular basement)	2,000	2,000
1 1/2 story, bi-level, tri-level and others	2,400	1,600 main floor for bi-level; upper two floors for tri-level
2 story, 2 1/2 story	2,400	1,600

### 1.4.3 Maximum Dwelling Height

No dwelling erected upon a Lot shall contain more than two and one-half (2 1/2) stories above ground level; provided, however, the ACC shall have the right (but not the obligation), because of steep topography, unique Lot configuration or similar reasons, to allow dwelling heights greater than two and one-half (2 1/2) stories on rear and side elevations.

### 1.4.4 Ceilings

Interior ceiling heights in dwellings constructed on Lots are recommended to be a minimum of nine (9) feet on the first (i.e. street grade) floor and a minimum of eight (8) feet on all other floors.

### 1.4.5 Garages

Every house shall have an enclosed garage for not less than two (2) vehicles. Garage openings may not face the front elevation street unless approved in advance in writing by the ACC; and such approval will be given by the ACC only where particular hardship would otherwise result because of Lot size, configuration, topography, or other circumstances deemed sufficient by the ACC.

The placement of garages and driveways has a great effect on the overall aesthetics of the street scene and on the architectural appeal of each specific residence. A street scene with emphasis on residences instead of garages and driveways is more visually interesting. For that reason, certain garage placements on a Lot are discouraged.

In cases where a front entry attached garage must be used, recessing the garage from the remainder of the residence diminishes the adverse impact of the front entry garage on the street scene and keeps the residence from appearing to be composed of almost entirely the garage. Therefore, in cases where Lot size does not allow a side entry

garage, a minimum thirty-six (36) inch offset of the front entry garage from the major facade of the house is required, and a greater recess distance [up to a maximum of ten (10) feet] is encouraged. A porte-cochere that does not extend past the major building facade, and is constructed of the same building materials as part of the house, is allowed.

Garage doors are required for all garages, and the garage doors must be paneled and/or detailed to provide appropriate scale. Single bay garage doors are preferred over double width garage doors. Carports will not be allowed. The garage turnaround area must provide a minimum twenty-four (24) foot back-up distance, with an additional two (2) foot buffer between the edge of the driveway and the Lot boundary line [i.e. a total minimum distance of twenty-six (26) feet must be between the garage opening and the adjacent side Lot boundary line].

#### 1.4.6 Exterior Materials and Colors

Exterior materials shall be brick, stucco, stone, cedar shake or Hardi Plank or equivalent siding. When there is a change of material from front to side, front veneer material must be wrapped to cover 24" of the adjoining side. Architectural features such as quoin-corners are encouraged. Siding used must be fully back-supported to maintain a straight and even outer surface and must be fully and properly finished. Natural weathering of exterior wood materials is not desired. Vinyl siding is discouraged and may be used only upon prior written approval of the ACC. All exterior materials and color must be approved in writing by the ACC as part of the Final Building Plan and Specifications prior to commencement of construction.

#### 1.4.7 Roofs

Roofs and roof pitches shall be in proportion to the overall size and shape of the house with a minimum overhang of 12 inches. Except as specifically approved otherwise in writing by the ACC, the minimum roof slope for the main house structure shall be eight (8) vertical to twelve (12) horizontal. Acceptable roofing materials are (i) wood shingles, (ii) wood shakes, (iii) natural or man-made slate, (iv) tile, or (v) minimum twenty-five (25) year warranty, variegated (not solid) color, dimensional architectural (sculpted) style, composition (fiberglass) shingles. Metal may only be used as roofing on minor accent features. All specific roof materials to be used must be approved in writing by the ACC as part of the Final Building Plans and Specifications prior to commencement of construction.

Roof vents, roof power vents, plumbing vent pipes and skylights will not be permitted on roofs visible from any street, unless approved in advance in writing by the ACC. Roof vents, roof power vents, rain diverters, skylight housings, plumbing vent pipes and non-copper flashing shall be painted to blend with the roof shingles, except that flashing applied to vertical surfaces may be painted to blend with the vertical materials where more appropriate.

Eave lines shall align whenever possible. Eaves and rakes shall be accented by multiple fascia boards, cove and crown moldings or gutters. Frieze board of appropriate size shall always be used.

#### 1.4.8 Windows and Shutters; Doors

Windows shall generally be the same type and style all around the house. Thermal pane windows are preferred, and exterior storm windows generally will not be permitted. Wood windows or wood windows with aluminum or vinyl clad are preferred. Vinyl windows will be considered, provided the style and profile are visually similar to wood windows. All windows and doors shall have approved decorative treatments such as caps of soldier course brick, arches, wood caps or other approved decorative treatment, and no running bond brick will be permitted over any door or window of a front elevation. If decorative molding (e.g. dentil molding) is desired, it shall be run in a consistent manner around the perimeter of the home. Gables may be exempted from this requirement.

#### 1.4.9 Chimneys

Exterior chimneys shall be full foundation based and constructed of brick, stone, stucco or other material approved in writing in advance by the ACC. Chimneys shall have a design and location, and shall be constructed of a material that is appropriate to the house. Chimney cap covers are required for prefabricated metal flues. Direct vent fireplaces are discouraged unless the location is a side elevation; and direct vent fireplaces shall be allowed only on the rear side of a residence constructed on an Off Water Lot (unless otherwise approved in writing by the ACC) and shall not be permitted on a front elevation or on any elevation that is visible from the Roadway(s).

#### 1.4.10 Porches and Decks

Porches and decks shall be designed with substantial, well proportioned railing, flooring and support posts meeting applicable building code requirements. Deck and porch columns must be finished to an outside dimension of at least 8" x 8" or 10" diameter. Porches and decks may not be constructed outside of the building envelope setbacks unless approved in writing by the ACC.

#### 1.4.11 HVAC Equipment

No air conditioning or heating equipment or apparatus shall be installed on the ground in front of, or attached to any front wall, of any residence on a Lot. Considering proper airflow, air conditioning and heating equipment and apparatus shall be screened by Landscape Improvements to reduce visual nuisances, considering views from streets, Lake and neighbors, as more particularly provided in the Landscape Guidelines herein.

#### 1.4.12 Attachments; Satellite Dishes and Antennae

Permanent attachments of any kind or character shall be approved in advance and in writing by the ACC. Such attachments include, but are not limited to, television and radio antennas, satellite or microwave dishes, solar energy-related systems, or similar improvements. No such roof-mounted equipment or related structures shall exceed twelve (12) feet in height above the highest roofline ridge of the house.

Satellite dishes when mounted as an attachment on the roof or wall of the residence should be located so as to be inconspicuous from the street. When such dishes are ground mounted, screening shall be provided to make the dish reasonably camouflaged and screened from the street, Lake and neighbors. Ground mounted dishes are not permitted in the lake buffer zone or below the 804 foot elevation. The ACC may consider waivers to this policy if compliance results in inadequate broadcast reception.

#### 1.4.13 Mail and Newspaper Boxes

When installed the mailbox shown is schedule P must be used.

#### 1.4.14 Pools, Therapy Pools and Spas

The size, shape and setting of pools (including standard swimming pools, therapy pools and spas) must be carefully designed to be compatible with the surrounding natural and man-made environment. In locating swimming pools, therapy pools and spas, the following shall be considered:

Indoor/Outdoor relationship

Setbacks imposed by the applicable Building Envelope

Views both to and from the pool area

Terrain (grading and excavation)

Fencing and privacy screening

Except as provided herein, pools, decks and related equipment will not be allowed outside of the Building Envelope area. Provided, however, pool decks may encroach into the setback area imposed by the Building Envelope on Lots that are not contiguous with the Lake if such deck is either at or within two (2) feet of natural grade and no closer than ten (10) feet to any Lot boundary line. Pool and pool equipment enclosures must be architecturally consistent and harmonious with the residence and other structures on the Lot in terms of their placement, mass and detail. Pools, decks and related equipment, and pool and pool equipment enclosures, shall be screened or treated so as to avoid distracting noise and views.

#### 1.4.15 Exterior Lighting

Exterior lighting (which must be approved by the ACC as part of the Final Building Plans and Specifications) must be limited to areas within the Building Envelope (unless otherwise approved in writing by the ACC), must not result in excessive glare and must not interfere with the privacy of nearby dwellings, all as determined by the ACC.

#### 1.4.16 Docks, Piers, Boat Slips and Seawalls

See Section 3.2 of the Lake Buffer Guidelines for detail on the construction of Docks, Piers, Boat Slips, and Seawalls.

#### 1.4.17 Exterior Play and Exercise Equipment

Such equipment will be located to minimize impact on neighboring Lots.

All play and exercise equipment must have ACC approval before being erected (see Schedule N attached hereto). All play and exercise equipment should have earth tones (e.g., dark greens, browns, tans) to blend with surrounding environs. Considering the impact on neighbors, night lighting of recreational and athletic facilities on Lots must be approved by the ACC.

#### 1.4.18 Fences and Walls

Walls and fences shall be considered an extension of the architecture of the residence and a transition of the architectural mass to the natural forms of the Lot. Special consideration must be given to design, placement, impact and view of the wall or fence from neighboring Lots. Fences, walls, and densely planted hedgerows shall be considered as design elements to enclose and define courtyards, pools, and other private spaces, and to provide security. Materials, location, height, and openness of fences, walls, densely planted hedges or similar landscape barriers must be in accordance with the Covenants, Section 9.5, and must be approved in advance in writing by the ACC prior to installation (see Schedule N attached hereto).

#### 1.4.19 Outbuildings

The construction and location of outbuildings (e.g., gazebo, potting shed, storage shed, statues, gates and playhouses) shall be subject to the review and approval of the ACC (see Schedule N attached hereto). Their design and location in relationship to the house is essential. Wherever possible, buildings should be oriented so that access is indirect and their opening does not face the street. Outbuildings may not be used as residence.

Plans and architecture of outbuildings shall be submitted to the ACC for review and approval prior to being shown on landscape plans. Approval of the landscape plans does not constitute approval of any outbuildings.

### 1.5 MISCELLANEOUS MATTERS

#### 1.5.1 Diligent Construction

All Homesite Improvements to be constructed on a Lot must be completed within eighteen (18) months following commencement of construction (i.e., earliest of site clearing, grading, septic tank installation or other permanent improvements) unless a longer time is approved in writing by the ACC.

All Waterfront Improvements (including Dock & Pier, and Shoreline Stabilization) shall be completed in a time frame approved by the ACC at final approval of improvements. If Construction activity ceases for a period of thirty (30) days, area is to be stabilized to the ACC's satisfaction.

#### 1.5.2 Purpose and Use of Landscape/Construction Escrow Deposit

The Construction Escrow Deposit (see Schedule Q) is required to be paid to the ACC by each Lot Owner pursuant to Sections 1.1.5 and 3.2 herein shall be deposited by the ACC in an escrow account. The Construction Escrow Deposit paid by an Owner may thereafter be used by the ACC for any of the following purposes:

1.5.2.1 To pay for the cost to repair any damage to the Roadways or Common Areas in Waterford Pointe caused by the Owner or the Owner's builder or subcontractors and not repaired by the responsible Owner or such Owner's builder or subcontractors.

1.5.2.2 To complete any landscaping (required under the landscape Guidelines) that has not been completed upon completion of a residence on any Lot.

1.5.2.3 To pay for the cost of completing any Improvements so that they are in accordance with the approved Final Building Plans and Specifications, if and to the extent the Owner fails to complete such Improvements consistent with the terms of the Guidelines and the Declaration.

1.5.2.4 To pay for the cost of restoring or replacing any trees, other vegetation, grades or other natural features improperly removed, altered or destroyed by the Owner, or Owner's builder or subcontractors, in violation of the Guidelines.

1.5.2.5 To reimburse WPOA for the cost of cleaning up any significant amount of dirt, cement, or debris left by the Owner or by the Owner's builder or subcontractors on any street, if and to the extent such materials and debris is not immediately removed by the Owner or the Owner's builder or subcontractors.

1.5.2.6 To pay for the cost of enforcing any of the Owner's other obligations under the Guidelines or the Declaration.

1.5.2.7 To pay for foundation survey under section 1.1.5

1.5.2.8 To pay any other costs, fines or expenses as determined by the ACC.

Except for the reimbursements described in Section 1.5.2.5 above and except for the application of the Construction Escrow Deposit in accordance with the express terms of other provisions in the Guidelines, the ACC shall give an Owner prior notice that the ACC intends to use such Owner's Construction Escrow Deposit for a particular purpose. Such Owner thereafter shall have twenty-four (24) hours from the date of the notice to complete the performance that is required and for which the ACC intended to use such Owner's Construction Escrow Deposit or, if the performance cannot be completed during that time, to begin the performance and to thereafter diligently pursue such performance to completion. Upon the completion of all Improvements and all Landscape Improvements and the performance of all other obligations by an Owner pursuant to the terms of the Guidelines and the Declaration, the ACC shall return to such Owner the unused portion (if any) of such Owner's Construction Escrow Deposit. Construction Escrow Deposits must be paid by the owner; and when returned, Construction Escrow Deposits will only be returned to the owner.

In the event the ACC expends sums on the Owner's behalf as provided above in excess of the Owner's Construction Escrow Deposit, the Owner shall pay the excess to the ACC within twenty (20) days of notice thereof.

All notices given to a Lot Owner or a Lot Owner's Builder will be given in accordance with Section 1.5.3.

### 1.5.3. Notices

Each notice, document or submittal (collectively, "notice") required or permitted to be given under the Guidelines must be given in compliance with the requirements of this section.

1.5.3.1 Each notice shall be in writing.

1.5.3.2 Any notice to be given to the ACC shall be deemed to have been duly served and to be effective only when a receipt acknowledging such delivery (such as a registered mail, overnight express service or hand delivery receipt) is signed by a member or authorized representative of the ACC. The address of the ACC for delivery of notices hereunder shall be as follows:

Waterford Pointe ACC  
215 Amenity Way  
Seneca, SC 29672

1.5.3.3 Any notice to be given to an Owner shall be deemed to be duly served when picked up by the Owner (or the Owner's builder, as the case may be) at the ACC's office or when delivered to the Owner's address (or the

Owner's builder's address, as the case may be) by regular U.S. Mail Service (such delivery being presumed to have occurred on the second (2nd) day following the deposit of such notice by the ACC in the U.S. Mail) or when sent by e-mail or facsimile to the Owner's facsimile number (or the Owner's builder's facsimile number, as the case may be) such delivery being presumed to have been duly served on the day same is sent by the ACC). The address or email of an Owner (and facsimile number, if applicable) shall be as set forth in the Owner's submittal of Preliminary Building Plans and Specifications, or, if different, then as set forth in the Owner's submittal of Final Building Plans and Specifications.

1.5.3.4 Either the ACC or an Owner may change its address or email (or facsimile number, as the case may be) for notices hereunder by written notice to the other party designating the new address, such written notice of the changed address (or facsimile number, as the case may be) to be given to the other party in accordance with this Section 1.5.3.

#### 1.5.4 Septic Installation and Maintenance

##### 1.5.4.1 General

The chosen method of residential waste disposal at Waterford Pointe is individual on-site septic systems, with each Lot having its own septic disposal system. A properly designed, installed, and maintained septic system can be the safest and most economical way to treat residential wastewater. Crescent Properties performed preliminary soil testing to ensure that a septic system will work on each Lot; however, each Lot owner must perform planning and obtain a septic tank permit from the Oconee County Health Department before a Building Permit will be issued by the Oconee County Building Codes office. Waterford Pointe will contract for an annual septic inspection for all homes in the community. The costs of the inspection will be billed to the new homeowner at the time of the initial inspection and thereafter at the beginning of each year.

##### 1.5.4.2 Waterford Pointe Specifications

THE FOLLOWING SPECIFICATIONS ARE FOR ITEMS THAT MAY EXCEED STATE (DHEC) AND LOCAL REGULATIONS. ALL OTHER REQUIREMENTS ARE PER INSTALLER'S INSTALLATION PERMIT AS ISSUED BY THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL AND SHALL MEET THE SOUTH CAROLINA LAWS AND RULES FOR SEWAGE TREATMENT.

##### SEPTIC TANK

1. An access riser shall be provided for monitoring, pumping, and servicing any tanks used in the septic system. All risers must be stackable type (e.g., Polylok, TUF-TITE, or equal). Specifically, an access riser (at least 24" diameter with lid) shall be provided for monitoring and servicing the effluent filter on the outlet end of the septic tank. If a dual-chamber septic tank is used, an access riser is required at both the inlet and outlet end of the tank for ease of inspection and pumping. When ordering, specify tanks and risers that meet Waterford Pointe specifications.
2. When stacking the access risers, adjust so that the riser tops are no lower than three inches above the finished grade. At the time of installation, the installer should allow at least an extra six-inch joint of riser over all accesses to allow for finish grade changes. After the final landscaping, adjustments can be made to lower the riser heights if possible.
3. All connecting pipes should be supported to prevent pivoting of or stress to the pipe when back filling is performed. Specifically, do not allow any "bridging" or "bellying" to occur under the gravity lines within 10 feet of the connection of the inlet or outlet pipes to the septic tank. When back-filling, prevent any pivoting effect that can rotate the filter, thus making filter removal and cleaning difficult.

##### PRIMARY EFFLUENT FILTER - SEPTIC TANK

An effluent filter shall be installed as per manufacturer's instructions at the outlet end of the septic tank. All filters are to be Polyloc model PL122, TUF-TITE model EF-4 residential effluent filter unit, or equal. This complete unit is ready to install to a 3" or 4" schedule 40 PVC pipe; thus no sanitary tee is needed. The filter unit should be installed in line with the center of the riser to minimize filter removal problems.

##### 1.5.4.3 Planning and Installation of Septic Systems

The following Guidelines are provided for the proper planning and installation of the septic systems:

1. Planning: Information and requirements concerning site planning are included in Section 2 of these Guidelines. Location of the septic system is an important element of the site planning process, as a large area must be set aside for the absorption field (drainfield) and the “repair area.” The repair area is land that is set aside for possible future use if the primary absorption field needs to be enlarged or replaced. Some sites will utilize a gravity method to deliver sewage to the tank and absorption field, while others may utilize an effluent pump system if the field is uphill from the house. The septic system shall be shown on the site plans, drainage plans, and landscape plans as required by these Guidelines (Schedules A, B, H, and I). One of the first steps in the site planning process should be to contact the Oconee County Health Dept to arrange for a site visit by their staff to assist in planning the location for the system. This step is part of their permitting process.

2. Installation and Construction: The septic tank permit is required by the Building Codes Office in order to get a building permit. The Oconee County Health Department maintains a list of licensed installers, and this list can be used in finding a qualified installer. In addition to county and state (DHEC) rules, all Owners must comply with the requirements of these Guidelines and the Waterford Pointe Installation Specifications.

#### 1.5.4.4 Maintenance

The Waterford Pointe Owners Association provides for the inspection of the systems as set forth in the Declaration of Covenants, Conditions and Restrictions for the subdivision. Details of this program are provided in the Waterford Pointe Policy Manual.

## **2. LANDSCAPE GUIDELINES**

### **2.1 GENERAL LANDSCAPE MATTERS**

#### **2.1.1 Goals and Objectives**

These Landscape Guidelines have been prepared for use by all Lot Owners and their builders, contractors, architects and landscape architects who are involved in making site improvements to Lots in the Waterford Pointe community. Adherence to the Landscape Guidelines by all such parties will help ensure the continued success of Waterford Pointe as a premiere residential community. The Landscape Guidelines, implemented in concert with the Architectural and Design Guidelines, the Lake Buffer Guidelines, and the Construction Rules (which are the other three primary components of the Guidelines), will help assure that the foregoing objectives will be realized. The overall success of the Waterford Pointe community is dependent, in large part, on the coordination of Landscape Improvements (as defined herein) and architectural improvements.

The specific objectives of the Landscape Guidelines are to:

Provide minimum standards for the installation of Landscape Improvements and associated site Improvements within Lots at Waterford Pointe.

Establish criteria to ensure visual design excellence for which Waterford Pointe is known.

Present clear, concise, and enforceable Guidelines for the installation and maintenance of Landscape Improvements at Waterford Pointe.

#### **2.1.2 “Landscape” and “Landscape Improvements” Defined**

For the purpose of the Guidelines, and to distinguish landscape elements from other site structural elements (which are covered by the separate Architectural and Design Guidelines), “Landscape” shall be deemed to be the combination of existing and introduced plant material and all of the land area within each Lot located outside the boundaries of the building perimeter of the house. As used in the Guidelines, “Landscape Improvements” include, but are not limited to: trees, shrubs, ground covers, annual and perennial flowers, turf grasses, mulches, retaining walls, walkways, paths, steps, irrigation and landscape lighting systems, and similar existing and introduced Improvements. For additional applicable terms and definitions, see Schedule F.

#### **2.1.3 Septic and Drain System Warning**

Builders and landscape contractors must become familiar with the location of septic system components, foundation “French drain” piping, and gutter drain piping prior to performing any work that could damage these systems.

## **2.2 PROCEDURES AND APPROVALS**

### **2.2.1 Landscape Review Process**

Prior to the commencement of any Landscape activity of any type (excluding any grading or similar site work encompassed by the Final Building Plans and Specifications) on any Lot, an Application for Landscape Plans and Specifications Approval (the form of which is attached hereto as Schedule C) must be submitted by the Lot Owner or such Owner’s designated agent to the ACC. The ACC must receive, review and approve the information and documentation required to be submitted under the section herein entitled “Final Landscape Plans and Specifications Review Procedure” prior to the commencement of any such Landscape work.

## 2.2.2 Landscape Design Review Procedure

The successful completion of the landscape review process under the Landscape Guidelines will be facilitated by reviewing and complying with the requirements outlined in the Landscape Guidelines and by reviewing and following the landscape review procedure described herein.

The Landscape Plans and Specifications Review Application, the Landscape Plans and Specifications and all other materials necessary for the ACC to review the Landscape Plans and Specifications shall be sent to:

Waterford Pointe ACC  
215 Amenity Way  
Seneca, SC 29672

## 2.2.3 Review of Preliminary Landscape Plans and Specifications

The ACC encourages Lot Owners and builders who are building in the Waterford Pointe community to participate in the Preliminary Landscape Plans and Specifications review process. Preliminary Landscape Plans shall be submitted using Schedule C. Although not required, the Preliminary Landscape Plans and Specifications review process may help avoid unnecessary expense and delay by expediting later phases of the Landscape Plans and Specifications review process. Each Lot Owner may, at such Lot Owner's discretion, submit Preliminary Landscape Plans and Specifications to the ACC at the time Final Building Plans and Specifications for the Lot are submitted to the ACC (as contemplated in the Architectural and Design Guidelines).

The ACC shall review the Preliminary Landscape Plans and Specifications and return them to the Owner marked "Approved", "Contingent Approved" or "Disapproved," as the case may be. As to any Preliminary Landscape Plans and Specifications that are marked "Approved" by the ACC, Final Landscape Plans and Specifications produced thereafter must be in substantial conformity therewith; provided, however, the ACC's approval of Preliminary Landscape Plans and Specifications shall in no way bind or obligate the ACC to approve the subsequent Final Landscape Plans and Specifications.

The ACC may refuse to approve Preliminary Landscape Plans and Specifications, or any component(s) thereof, for any reason or reasons, including purely aesthetic reasons.

## 2.2.4 Final Landscape Plans and Specifications Review Procedure

The submittal of Final Landscape Plans and Specifications must incorporate all of the elements described herein as being required as part of the Final Landscape Plans and Specifications submittal. Final Landscape Plans and Specifications along with a completed Schedule C, must be submitted to the ACC for review in a timely manner. In that regard, two (2) complete sets of the Final Landscape Plans and Specifications for each Lot **must be submitted to the ACC when the exterior finish work on the house (i.e. brick veneer, siding or stucco application, etc.) is completed.** Furthermore, landscaping shall be installed in accordance with an approved Landscape Plan no more than 30 days following the issuance of a certificate of occupancy or a fine of \$2,500 can be assessed against such Lot as a fine or lien and shall constitute a personal obligation of the applicable Lot Owner.

Landscape Plans and Specifications submitted to the ACC will be reviewed by the ACC. If the Plan is found not to be in compliance with the Landscape Guidelines or if found to be otherwise unacceptable to the ACC, one (1) set of the Final Landscape Plans and Specifications shall be returned to the Lot Owner marked "Disapproved" or "Resubmit," accompanied by a written statement of items found not to be in compliance with the Landscape Guidelines or to be otherwise unacceptable to the ACC. If the Final Landscape Plans and Specifications for a Lot are submitted and rejected two (2) or more times, the ACC may require an additional review or processing fee to be submitted by the Lot Owner to cover the additional time and expense incurred by the ACC in reviewing the resubmitted Final Landscape Plans and Specifications.

At such time as the Final Landscape Plans and Specifications are approved (or conditionally approved) by the ACC, one (1) complete set of the approved Final Landscape Plans and Specifications shall be retained by the ACC and the other complete set of the approved Final Landscape Plans and Specifications shall be marked "Approved as Submitted" or "Contingent Approved" and returned to the Lot Owner, along with a written statement with any comments of the ACC. Once the ACC has approved Final Landscape Plans and Specifications for Landscape Improvements to be

installed on a particular Lot, the installation of such Landscape Improvements must be promptly commenced and diligently pursued to completion.

## 2.2.5 Required Elements of Final Landscape Plans and Specifications

All Final Landscape Plans and Specifications shall include the following (see Schedules H & I):

2.2.5.1 Completed Schedule C and 2 copies of a 24" x 36" drawing or a 30" x 42" drawing with accurate boundaries of the Lot (i.e. as taken from the most recent boundary survey of the Lot) drawn at a scale of 1" = 15.'

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2.2.5.2 Accurate adjoining street right-of-way lines, accurate back of curb and face of curb lines, and the appropriate names of adjoining street(s).

2.2.5.3 Accurate locations and widths of any and all utility easements, each labeled as to the specific type of utility occupying the easement (i.e. water, electric power, etc.). Accurate location of primary and 100% repair septic envelopes.

2.2.5.4 Accurate location of the Building Envelope for the Lot.

2.2.5.5 Accurate North direction shall be shown and labeled.

2.2.5.6 A title block located in either the lower right-hand corner of the sheet, across the entire bottom edge of the sheet, or down the entire right-hand edge of the sheet shall contain the following information:

- 1) Lot number and section within the Waterford Pointe community.
- 2) Scale of the drawing.
- 3) Date of the drawing, including any revision dates.
- 4) The name, address and telephone number of the preparer of the Landscape Plans and Specifications.
- 5) Lot Owner's name.

2.2.5.8 Clearing Limits shall be shown exactly as it appears in the field.

2.2.5.9 Precise location of the dwelling, garage and all other structures as depicted on the approved Final Building Plans and Specifications for the Lot.

2.2.5.10 Precise location of all exterior doors and windows on the first floor/ground level of the dwelling.

2.2.5.11 Precise location of driveways, walkways, decks and steps, screened porches, gazebos, swimming (or other) pools, fountains, spas/hot tubs, fences and gates, garden walls, sculptures, sundials, bird houses, basketball goals, play equipment/swing sets, retaining and freestanding walls, etc.

2.2.5.12 Location of all proposed new Landscape Improvements, clearly labeled and indicating the species and quantities. Show all lawn areas as "lawn seed" or "lawn sod."

2.2.5.13 Plant list/planting schedule listing all proposed plant material, quantities, their common name and their botanical/scientific name, their size at the time of planting, and any special or notable distinguishing characteristics. (See the sample Final Landscape Plans and Specifications attached hereto as Schedule H).

2.2.5.14 Location of gas and electric meters, location of heating, ventilating and air conditioning units and pool equipment/pump or other utility-related equipment and apparatus.

2.2.5.15 All plants shown on the Final Landscape Plans and Specifications are assumed to be scheduled for installation in the initial planting of the Lot. Any plants to be installed at a later phase (i.e., following the initial

planting of the Lot) must be clearly labeled to that effect on the Final Landscape Plans and Specifications and in the plant list that constitutes a part of the Final Landscape Plans and Specifications.

2.2.5.16 The type(s) of mulch material(s) to be used and their location(s) must be clearly indicated.

2.2.5.17 Locations of all septic equipment, including access covers and tanks, as well as drainfields, including primary and repair areas.

2.2.5.18 Drainage Plan, to include, but not limited to, downspout locations, drain pipe locations, and direction of overland water flow (see Schedule I).

If any of the foregoing information or detail is not provided in the Final Landscape Plans and Specifications, in whole or in part, the Final Landscape Plans and Specifications may be rejected until all of the required information and detail is included, regardless of how elaborate and extensive the actual design may be.

## 2.2.6 -Landscape Plan Changes

Following final approval of the Landscape Plan, all changes must be submitted to the ACC using Schedule D.

## 2.2.7 Failure of the ACC to Act

If:

(a) the ACC fails to approve or disapprove any Final Landscape Plans and Specifications and other submittals that conform (and that relate to Landscape Improvements that will conform) with the requirements of the Landscape Guidelines and of the Declaration or to reject them as being inadequate or unacceptable within thirty (30) business days after receipt thereof,

(b) such submittal was a full and complete submittal, in accordance with the Landscape Guidelines and the Declaration, of all items that were to have been submitted to the ACC,

(c) and the ACC shall again fail to approve or disapprove of such Final Landscape Plans and Specifications and other submittals within ten (10) days after additional written request to act on such items is delivered to the ACC following the passage of such first above-described thirty (30) business day period,

then it shall be conclusively presumed that the ACC has approved such conforming Landscape Plans and Specifications and other submittals.

However, the ACC has no right or power, either by action or failure to act, to waive or grant any variances relating to any mandatory requirements specified in the Declaration or any Additional Declaration for the Phase in which the Lot is located, and the ACC shall not be deemed to have waived any of the requirements set forth in Article IX, Section 8, Section 9 or Section 10 of the Declaration or any corresponding provisions in the Guidelines.

If Final Landscape Plans and Specifications or other submittals are not sufficiently complete or are otherwise inadequate, the ACC may reject them as being inadequate or may approve or disapprove part, conditionally or unconditionally, and reject or approve the balance.

## 2.2.8 Lot Owner Responsibility

Although a landscape contractor, architect, or designer may prepare the Final Landscape Plans and Specifications for a particular Lot on behalf of the Lot Owner, the Lot Owner is ultimately responsible for reviewing the Final Landscape Plans and Specifications for completeness (consistent with the Landscape Guidelines) and for ensuring the timely submission of the Landscape Plans and Specifications and related documentation to the ACC for review as contemplated herein. Additionally, each Lot Owner is responsible for making those individuals acting on behalf of such Lot Owner aware of the requirements contained herein relating to the preparation and submittal of the Final Landscape Plans and Specifications.

## 2.2.9 Field Verification

Following the approval of Final Landscape Plans and Specifications for a Lot and the subsequent installation of Landscape Improvements in accordance with such approved Final Landscape Plans and Specifications, the Lot Owner shall so notify the ACC in writing and the ACC shall inspect the Landscape Improvements installation for compliance with the approved Final Landscape Plans and Specifications. Plant locations, plant species and plant sizes shall be consistent with those shown on the approved Final Landscape Plans and Specifications. Plant sizes shall conform to the latest edition of the American Standards for Nursery Stock, published by the American Association of Nurserymen, Inc. If the Landscape Improvements, as installed, do not conform to the approved Landscape Plans and Specifications, any assessment in the amount of the plant material deficiency will be applied until the Landscape Improvements installation is brought into conformance with the approved Final Landscape Plans and Specifications. Escrow will not be returned until landscape plans have been submitted, approved and verified and installed, and all other open issues are resolved.

## 2.3 PRESERVATION OF EXISTING TREES

The existing trees at Waterford Pointe are a prized natural amenity that adds value to the community in a multitude of ways. Waterford Pointe has exercised care to retain as much of the existing vegetation as possible in the design of the land plan for Waterford Pointe; and Lot Owners and home builders and contractors of the Lot Owners will continue to preserve and protect this valuable resource during the course of construction.

### 2.3.1 Applicability

2.3.1.1 Outside the Clearing Limits, deciduous or evergreen trees that are 4" in caliper and greater or dogwoods and other flowering trees that are 1.5 " or greater may not be removed unless dead or diseased (defined more specifically in Section 3.1.2 of the Lake Buffer Guidelines), without specific permission from the ACC

2.3.1.2 Within the Clearing Limits, clearing may be conducted as needed for construction and agreed upon at the site inspection (defined in Section 1.1.6). All trees remaining after such clearing are subject to protection and preservation as outlined in this Section 2.3. See section 1.2.2 for building envelope definitions.

### 2.3.2 Owner Responsibilities

Each Lot Owner shall be responsible for ensuring that such Lot Owner's general contractors and subcontractors adhere to the requirements of the provisions in the Guidelines (including the provisions in the Lake Buffer Guidelines) pertaining to the protection and preservation of existing trees outside of the Clearing Limits. Fines levied against the Construction Escrow as well as the Individual Special Assessment may be used by the ACC if the provisions in the Guidelines (including the provisions in the Lake Buffer Guidelines) pertaining to the protection and preservation of existing trees are not followed and result in the destruction of or severe damage to otherwise healthy and desirable existing vegetation.

The ACC may employ the services of a qualified arborist and/or landscape architect (at the Lot Owner's expense paid from the Construction Escrow or as a Special Individual Assessment levied under the Declaration) to analyze the condition of existing trees and to assist the ACC in monitoring adherence to the provisions in the Guidelines pertaining to the protection and preservation of existing trees.

### 2.3.3 Tree Protection and Preservation Procedures

The ACC recommends that a qualified arborist or Landscape Architect be consulted by each Lot Owner or such Lot Owner's builder for an on-site evaluation of the existing trees prior to, during, and after construction. In addition, the following plan of protective measures is recommended to be followed by the Lot Owner and the Lot Owner's builder to ensure the protection of existing trees that are intended to remain on the Lot following the construction of Improvements thereon.

2.3.3.1 All healthy, individual existing "mature trees" (as defined in Section 1.1.6 ) and all groups of trees comprising a "tree save area" must be identified with blaze-orange flagging tape prior to any clearing, grading or other construction activity is commenced on the Lot. Trees outside of the Clearing Limits are in the tree preservation area.

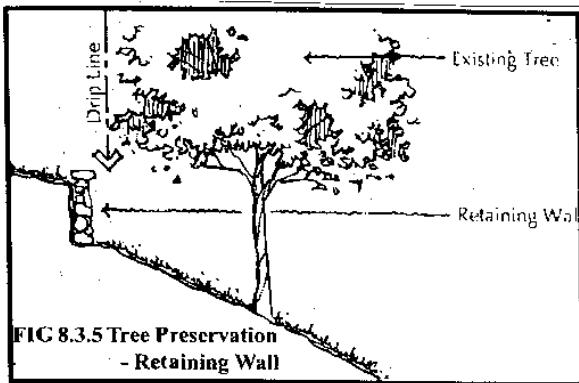
2.3.3.2 Lot Owner is responsible for ensuring that such tree marking remains intact and in good condition throughout the construction process.

2.3.3.3 Trash, construction debris, fires, chemical liquids and stored construction materials must be kept out of the staked trees area.

2.3.3.4 Stored construction materials shall be located no closer than ten (10) feet to the tree drip-line.

2.3.3.5 When changes in grade are required near existing trees, a retaining wall or walls outside the "drip-line" of the existing trees must be constructed to preserve the existing grade around the tree. Supplemental water and/or deep-root fertilization, as recommended by the arborist, must be supplied to ease the stress of possible root loss due to grading operations and the construction of retaining walls. (See Figure 2.3.3.5.)

Figure 2.3.3.5



2.3.3.6 In some instances, the ACC may require additional tree protection measures to ensure the preservation of especially valuable existing trees.

Please refer to the Lake Buffer Guidelines regarding requirements and restrictions relating to tree and vegetation protection and removal within the Lake Buffer Areas.

#### 2.3.4 Tree Repair Procedures

When trees are inadvertently damaged during construction, the Lot Owner shall retain a qualified arborist to make the necessary repairs. The following tree repair measures shall be taken by the arborist (as deemed appropriate by him or her) subsequent to his or her thorough inspection of the damaged area and determination as to the severity thereof.

2.3.4.1 Tree trunks scarred during the construction process shall be treated immediately. The scarred area must be properly cleaned. Any and all torn bark and/or ragged edges shall be cut cleanly away, and the wound shall be shaped into an ellipse where possible). (See Figure 2.3.4.1.)

Figure 2.3.4.1

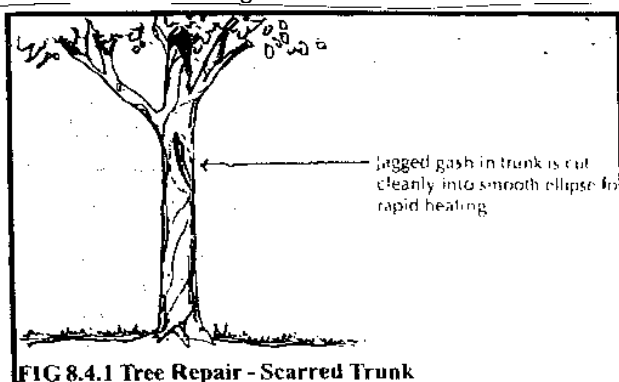
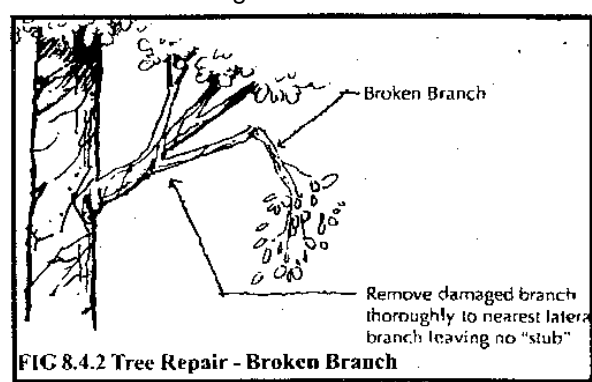


Figure 2.3.4.2



2.3.4.2 Limbs or branches damaged by construction operations shall be removed. Clean cuts with sharp pruning tools are to be made at the nearest lateral branch or flush with the trunk for major limbs.(See Figure 2.3.4.2.)

2.3.4.3 If, during or after construction, minor root damage is observed, reducing the crown by as much as thirty percent (30%) during the appropriate season of the year may be advisable. Crown reduction by pruning several of the small to medium-sized branches will reduce the demand on the damaged root system, thereby increasing the tree's prospect for survival and eventual recovery.

#### 2.3.5 Tree Valuation Schedule and Reimbursement Obligations Relating to Damaged or Destroyed Trees

With the care given to protecting and preserving existing trees as outlined above and as set forth in the Lake Buffer Guidelines, little or no damage to trees should occur during the course of construction on any Lot. However, accidents and possibly even negligence on the part of contractors and/or subcontractors will likely occur to some limited degree, resulting in the destruction of existing trees intended to remain on the Lot after the completion of construction of the Improvements thereon. The Tree Valuation Schedule, set forth in Figure 2.3.6 below, will be used to place an appropriate monetary value on any and all such existing trees severely damaged and/or destroyed within the tree preservation areas. Quantifying the value of existing trees will provide each Lot Owner with a method for calculating the proper amount of reimbursement such Lot Owner must pay to the Association upon written request as a result of the irreparable damage to, or destruction of, existing trees caused by a contractor's or subcontractor's construction operations on the Lot. The Association shall use the reimbursement amount to rehabilitate, restore and/or replace, as appropriate, the damaged or destroyed trees to the extent practicable or as a fine for the damage. Any of the reimbursement amount not used for repair or replacement shall be retained by the Association. For purposes of the Tree Valuation Schedule, the tree's trunk diameter is measured at twelve (12) inches above existing grade level. Trunk diameters that fall between any two sizes presented in the Tree Valuation Schedule shall be assigned a value calculated proportionally.

A qualified arborist and/or landscape architect, at the Lot Owner's expense, shall evaluate the quality of the damaged or destroyed tree(s), as they would have existed prior to their being damaged or destroyed. The Tree Valuation Schedule (Figure 2.3.6) shall be used to determine the replacement value.

Trees that are cut and removed without ACC approval are considered to be healthy living trees unless the owner provides definitive proof of their disease or death and may be evaluated for replacement or fines at the maximum diameter in the schedule if definitive evidence of a smaller diameter is not provided by the owner.

#### 2.3.6 Replacement of Damaged or Destroyed Trees

The Owner's Association, or the ACC as its agent, may require the planting of additional trees as a result of disturbance, damage, or destruction of existing trees on individual Lots. In this instance, a re-planting plan, a separate document from the Landscape Plan, may be requested by the ACC, detailing the size, type, and location of replacement vegetation. All vegetation planted for the purposes of replacement must be guaranteed for one year after installation. Any vegetation that is noted as dying, dead, or otherwise in poor health at the end of its first installation year will be required to be replaced. If such trees are replaced, the newly installed trees will also be subject to an additional one-year guarantee requirement.

In general, replacement trees must be planted expediently once the violation has occurred and the replacement planting plan has been approved. The ACC may grant, during times of extreme weather conditions, that replacement tree planting be postponed until such time as weather conditions are optimum for planting. A formal request, in writing, must be given to the ACC once the replanting plan has been approved. The ACC will review the request in accordance with Section 2.4.2 of the Landscape Guidelines. If the ACC grants a postponement, failure to install trees by the agreed upon date will result in a minimum fine of the actual installed cost of the trees as previously agreed upon as per the approved replanting plan, assessed against such Lot (as a fine or lien), and shall constitute a personal obligation of the applicable Lot Owner.

All trees installed as part of a replacement plan will be considered "protected" regardless of caliper size.

Figure 2.3.6

Tree Valuation Schedule			
Trunk Diameter Inches (DBH)	Cross Section Square Inches	Deciduous TreeValue	Evergreen TreeValue
2	3	\$102.72	\$89.88
4	13	\$445.12	\$389.48
6	28	\$958.72	\$838.88
8	50	\$1712.00	\$1498.00
10	79	\$2704.96	\$2366.84
12	113	\$3869.12	\$3385.48
15	177	\$6060.48	\$5302.92
20	314	\$10,751.36	\$9407.44
30	707	\$24,207.68	\$21,181.72
48	1809	\$61,940.16	\$54,197.64

This schedule is calculated using plant appraisal techniques derived from The Guide for Plant Appraisal, 9<sup>th</sup> Edition, published by *The Council of Tree and Landscape Appraisers* and *The International Society of Arboriculture*, in conjunction with information provided by the Southern Chapter of the International Society of Arboriculture. This schedule may be superseded by the most current, updated, information available from future editions and/or official publications.

**Figure 8.5.1**

## 2.4 MINIMUM PLANTING REQUIREMENTS

Minimum requirements for the initial landscape improvements to be installed on each Lot within the Waterford Pointe community have been devised to ensure that the high quality, visually appealing house styles and associated landscaping portray an aesthetically pleasing streetscape image. Essential to this is a unified and consistent balance between the quality of the architecture and the quality of the Landscape Improvements. A Recommended Plant List is attached hereto as Schedule G.

### 2.4.1 Minimum Initial Landscape Improvements Planting Requirements (Per Lot)

Figure 2.4.1

Plant Type	Non-Corner Lot Quantity	Corner Lot Quantity	Size	Minimum Dimensions & Remarks
Shade Trees	1	2	3-3.5" cal.	12' Height, Straight Trunk
Accent Trees	2	2	2-2.5" cal.	8' Height Specimen
Evergreen Trees	2	3	7-8' ht.	
Evergreen Shrubs	20	26	7 gallon	24" x24" Cont. or B&B
Small Shrubs	18	23	3 gallon	16" x16" Cont.
Ground covers Evergreen	160 SF	200 SF	Flats or 2" pots	
Annual Flowers	75 SF	75 SF	Flats or 4" Pots	Full Coverage
Lawn Seed				All disturbed/graded areas other than plant beds or sod.
Mulch/Pine Straw				All plant beds and natural areas.

*(Note: "B&B" means "Ball and Burlap," "cal." means "caliper" and "Cont." means "Container.")*

Note: Additional plant material is required above these established minimums. Refer to Section 2.5 for additional requirements.

#### 2.4.2 Postponement of Planting

Under circumstances of extreme weather conditions, the ACC may grant a Lot Owner a postponement of the initial Landscape Improvements planting. The request for such a postponement must appear in writing on the Final Landscape Plans and Specifications as submitted to the ACC for review. Generally, postponements of the initial Landscape Improvements planting will be considered only for the hotter summer months between mid-June and mid-September and for prolonged periods of below-freezing weather forecasted during the winter months. Such a postponement, when granted by the ACC, in no way releases the Lot Owner from the obligation to install the initial Landscape Improvements pursuant to the approved Final Landscape Improvements Plans and Specifications at the earliest time that weather permits and in all events not later than the timetable set forth in the ACC's written postponement.

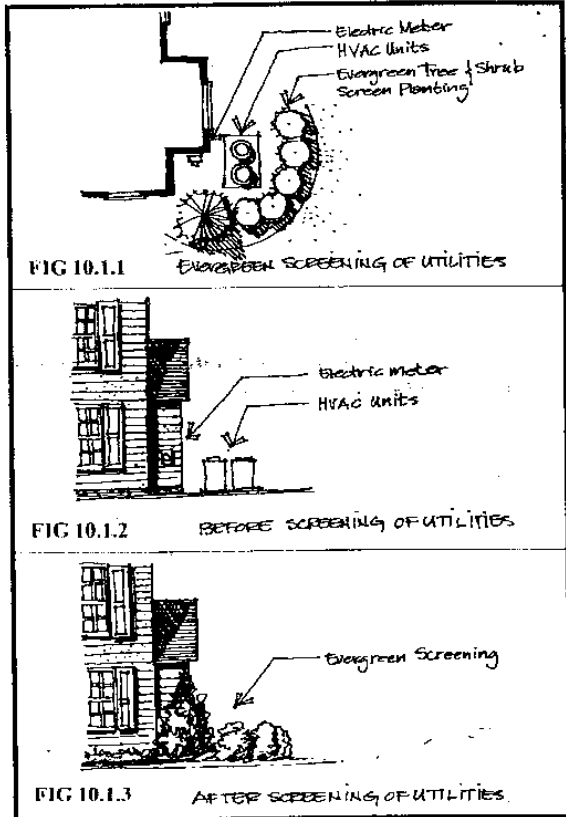
### 2.5 LANDSCAPE DESIGN GUIDELINES: REQUIRED PRACTICES

The following Guidelines shall be followed by all Lot Owners, builders, contractors, subcontractors, and architects of the Lot Owners when planning for and installing Landscape Improvements on Lots within Waterford Pointe. These Guidelines contain specific required practices and techniques for creating an aesthetically pleasing landscape.

#### 2.5.1 Screening of HVAC Units, Utility Meters, Utility Transformers, Outside Refuse Containers

All heating, ventilating, and air conditioning units, utility meters, electric utility transformer boxes, swimming pool pump equipment, permitted satellite or microwave dishes and similar equipment, apparatus and fixtures on each Lot, including all refuse containers stored outdoors, must be screened considering views from streets, the Lake and neighboring Lots. Plants used as screening should be maintained by the Lot Owner so that the equipment, apparatus or fixture being screened is accessible (wherever possible) by service personnel and/or meter readers. Plant materials for this purpose shall be evergreen plants of sufficient size when mature to screen the items. Recommended plant types include Otto Luykens Laurel, Schipka Laurel, Dwarf Burford Holly, Compacta Holly, Variegated Ligustrum, Wax Myrtle, and Fortunes Osthmanthus, although this list is not intended to be exclusive. (See Figure 2.5.1.).

Figure 2.5.1



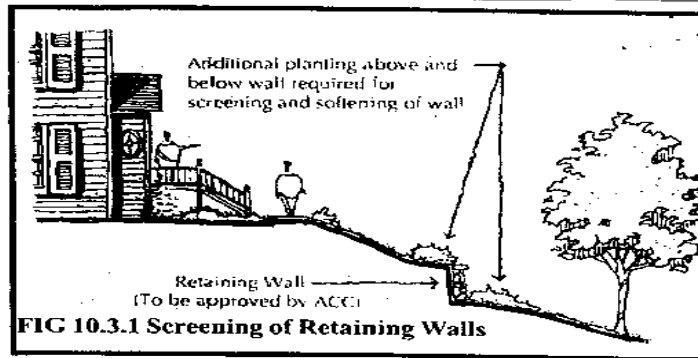
## 2.5.2 Driveway Location

As set forth in Section 1.2.3 in the Architectural and Design Guidelines, driveways shall not be located closer than two (2) feet to the side Lot boundary line.

## 2.5.3 Retaining Walls

All retaining walls must be approved by the ACC prior to construction, and the material, location, and height of all retaining walls must be clearly labeled on the Final Building Plans and Specifications. Where retaining walls are located on a Lot in an area that is visible from a street, additional plant material, over and above the minimum initial Landscape Improvements planting requirements herein, will be required to screen, or otherwise “soften” the retaining wall from view at the street. Additionally, it is recommended that retaining walls that are visible from neighboring Lots and the Lake be screened and/or “softened” with plant material. Additional plant screening material required to be installed pursuant to this Section 2.5.3 must be installed at the same time the minimum initial Landscape Improvements are installed hereunder. See Figure 2.5.3.

Figure 2.5.3



#### 2.5.4 Lawn Ornaments/Bric-a-Brac

All lawn ornaments and bric-a-brac (e.g., flagpoles) constitute Landscape Improvements and therefore are subject to review and approval by the ACC (see Schedule N). Without limiting the generality of the foregoing, no such landscape elements will be permitted in the front yard of any Lot without the prior written approval of the ACC. If such landscape elements are incompatible with the objectives of the Guidelines, they must be removed or relocated by the responsible Lot Owner, as specified by the ACC, within ten (10) days from the date of written notification to the Lot Owner.

#### 2.5.5 Mulch Materials

Acceptable mulch materials for covering planting beds and natural areas include pine straw, pine bark nuggets, shredded hardwood mulch. Consistent use of the same mulch material for any given Lot is required. Each Lot Owner shall be responsible for replacing and maintaining mulch material on such Owner's Lot from time to time consistent with the requirements of this Section 2.5.5.

#### 2.5.6 Walkway Layout

Walkways from the driveway to the front door or porch of the house and to boat docks shall be designed with smooth, flowing curves (where possible), rather than rigid straight lines. Walkways shall be at least three (3) feet wide. For walkways through the Lake Buffer Areas, see Section 3.1.3 and 3.2.4.

#### 2.5.7 Elevated Deck and Patio Foundation Planting

Decks and patios that are elevated above ground level shall be landscaped around their perimeters with appropriately sized plant material to screen the view of the space underneath the structure. Those portions that are visible from the public street (especially on corner Lots with elevated rear decks) must be screened.

#### 2.5.8 Septic Systems - Special Requirements

Having accessibility to the septic system components is necessary for scheduled preventative maintenance and regular service. The planting of shrubbery and decorative landscaping items shall not be placed within a 5' radius of any septic system component that extends above ground. All planting and decorating must be approved by the ACC.

The septic system electrical control panels associated with certain system types will be attached to the side of the dwelling. No landscaping items will be allowed within a 3' radius from the box to allow for service without obstruction.

The planting of trees within the area of the septic system should be performed carefully and very selectively. Only with the approval of the ACC will certain trees be allowed to be planted within the drainfield "envelope" or in the tankage area. No tree of any type shall be planted within 3' of any septic system component (e.g., tankage, distribution devices or drainlines).

Note: Septic tank and drainfield locations must be shown on landscape plans submitted for approval (See 2.2.5).

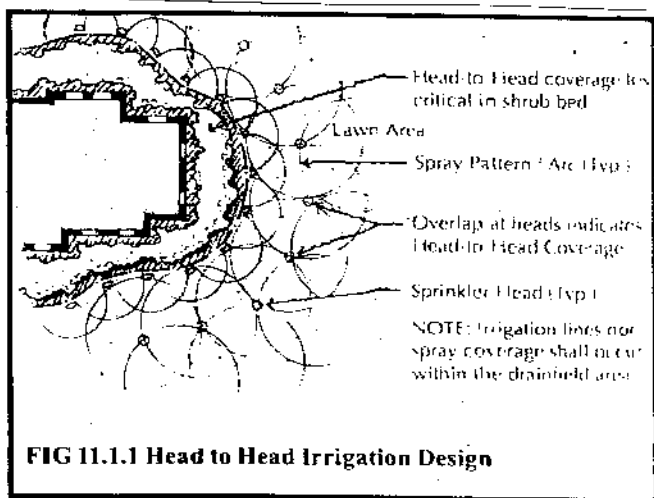
## 2.6 LANDSCAPE DESIGN GUIDELINES: RECOMMENDED PRACTICES

The following Guidelines are recommended to be followed by all Lot Owners, builders, contractors, subcontractors, and architects of the Lot Owners when planning for and installing Landscape Improvements on Lots within Waterford Pointe. These Guidelines contain specific recommended practices and techniques for creating an aesthetically pleasing landscape.

### 2.6.1 Automatic Irrigation Systems

Automatic irrigation systems are highly recommended. Besides the obvious advantage of convenience, automatic irrigation systems, when designed, installed and operated properly, should provide plant and lawn sod Landscape Improvements with the consistent watering they require to thrive. Landscape Improvements that are installed between mid-March and mid-September likely will be subjected to periods of intense heat and periods of low precipitation. Automatic irrigation systems are especially beneficial during such periods to help ensure a consistent amount, frequency and duration of watering.

Figure 2.6.1



When designing an automatic irrigation system, lawn areas and shrub beds should be placed on separate zones since the watering requirements for the two differ substantially. Also, the automatic irrigation system plan shall provide complete coverage, or "head-to-head" coverage, of all lawn areas. Without "head-to-head" coverage, lawn areas that are not covered will become brown or will suffer "brown-out." Often this phenomenon occurs in the area immediately surrounding the irrigation system heads, where little water actually falls on the ground. Another consideration is whether or not to meter the automatic irrigation system separately from the house water system. Separate water meters can be purchased at an additional cost from governmental authority having jurisdiction over the municipal water supply. In the event a Lot Owner elects to install an automatic irrigation system on such Owner's Lot, the automatic irrigation system shall be designed and operated so that water from the system remains on the Lot being irrigated without over-spraying onto adjacent Lots. (See Figure 2.6.1) Furthermore, no irrigation or trenching shall occur through the septic drainfield envelope. All irrigation that services the drainfield envelope should be placed on a separate zone or zones that are independent of the rest of the irrigation system. If this zone must be turned off for septic maintenance purposes, the rest of the landscape will not be affected.

### 2.6.2 Landscape Lighting Systems

Subject to the restrictions in Section 1.4.15 in the Architectural and Design Guidelines, landscape lighting systems are encouraged, although approval of landscape lighting systems may be granted or denied by the ACC. Landscape lighting systems shall be designed, installed and operated to enhance the architecture of the house and the Landscape Improvements on the Lot in a tasteful and subtle manner. Over-lighting the house and/or landscaping shall be avoided. Landscape Lighting shall be confined to the Owner's Lot, and no direct illumination from such landscape lighting shall encroach onto any other Lot, the Waterfront, or any other location beyond the boundaries of such Owner's Lot.

### 2.6.3 Foundation Planting

When designing foundation plantings, several important factors must be considered. Select shrubs that will not overgrow the location at maturity (e.g., covering windows). Select evergreen shrubs to be planted adjacent to the house foundation to provide an aesthetically pleasing appearance during all seasons, rather than deciduous plants that shed their leaves in the winter months. Select plant types and varieties that require moderate to low maintenance and pruning. Locate foundation shrubs on either side of windows instead of directly under windows, allowing the shrubs more vertical growing room without blocking the window. Locate foundation plants far enough from the foundation of the house to allow ease of maintenance access to the house (e.g., with a ladder or to paint the wall directly behind the shrubbery). Foundation plants shall be layered from front to back, with taller plants (evergreen) at the back and successively lower plants in the front.

### 2.6.4 Corner Lots

With regard to Landscape Improvements, corner Lots shall treat each facades or elevations of the house that face the streets with equal care and consideration. Facades or elevations are “public” sides of the house to the degree that both elevations front on a public street. Care and consideration shall be given to selecting plant material that will lend privacy to the rear yard by grouping evergreen trees and/or shrubs near the side right-of-way line. (See Figure 2.6.4)

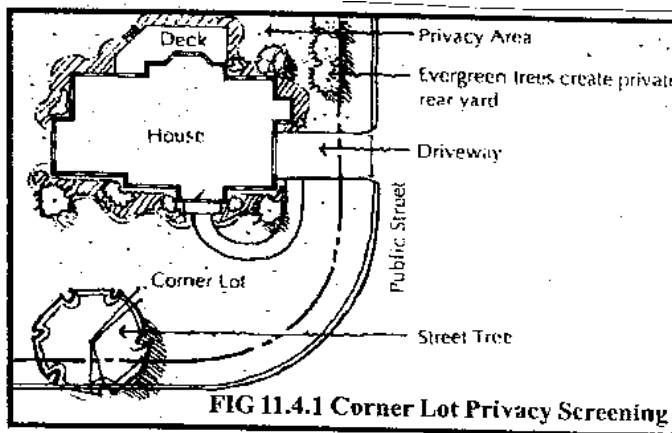


Figure 2.6.4

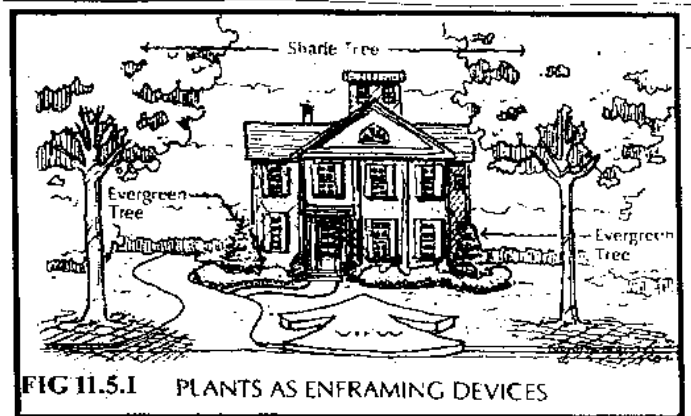


Figure 2.6.5

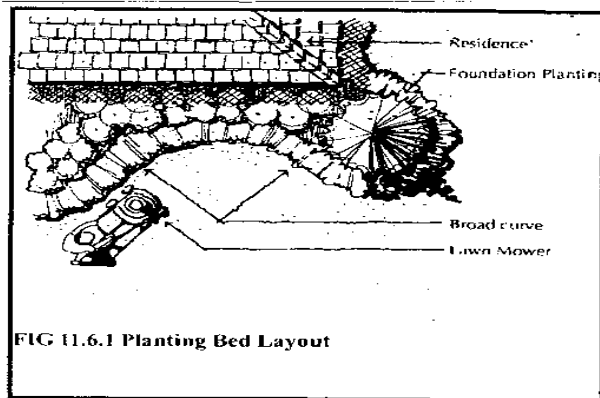
### 2.6.5 Plants as Framing Devices

Trees and shrubs can and shall be utilized to frame a view of the house (e.g., the front elevation). For instance, street trees located near the Lot boundary line at the street are best located near the side Lot boundary lines to create visual parameters through which to view the front of the house. This idea is further illustrated by locating evergreen trees (e.g., Nellie R. Stevens Hollies) at the front corners of the house to frame the house with a plant material during all seasons of the year. (See Figure 2.6.5)

### 2.6.6 Planting Bed Layout

Planting beds containing plant materials such as trees, shrubs, ground covers, and annual flowers shall be designed and constructed with smooth, flowing curves (wherever possible). The curves shall be broad enough to allow ease of maneuvering lawn mowing equipment along the edges of the planting beds. Consideration also should be given to the type of lawn mowing equipment that will be used (i.e., riding lawn mower or push-type lawn mower) and its minimum turning radius. (See Figure 2.6.6)

Figure 2.6.6



#### 2.6.7 Landscape and Architecture Compatibility

The landscape design for each Lot should enhance the architectural style of the residence on such Lot. Different architectural styles call for different landscape styles. Lot Owners are urged to hire an experienced, qualified landscape architect or landscape designer to assist in achieving such compatibility.

#### 2.6.8 Fish Ponds and Fountains

Fish ponds and fountains are permitted to be installed on Lots, subject to ACC prior written approval (see Schedule N attached hereto). Professional design and installation services are highly recommended for such amenities.

#### 2.6.9 Yards and Visual Importance

Any area of a Lot that is visible from a public street takes on a “semi-public” character in that the visual quality of that portion of the Lot contributes to the overall quality and character of the community at large. Lot Owners must landscape and maintain all such “semi-public” areas of their Lots with utmost care and consideration. Corner Lots effectively have two such “semi-public” yards due to the fact that such Lots front on two public streets.

In contrast, rear yards tend to be the private domain of the Lot Owner, allowing somewhat more flexibility in the uses of the rear yard space. However, the ACC and Waterford Pointe expect that equal care and attention will be given to the landscaping and maintenance of these areas. Additionally, rear yards become more “semi-public” where they front on Common Areas, common recreation facilities or the Lake; and rear yards in these locations should always be well-maintained and adequately landscaped as “semi-public” areas.

### **3 LAKE BUFFER GUIDELINES**

#### **3.1 LAKE BUFFER REQUIREMENTS**

##### **3.1.1 Introduction**

In order to ensure the natural beauty and the recreational benefits of the Lake and to help preserve the quality of water in the Lake, the ACC has prepared the following Lake Buffer Guidelines for Waterford Pointe.

Several authorities control the land adjoining Lake Keowee. Duke Energy controls and actually owns all of the property adjoining the lake up to the 804' elevation, with the nominal full pond elevation of 800'. Oconee County has regulations concerning the use of the land adjoining the lake and up to 25' when measured horizontally from the 800' elevation. The 50' setback for the Lake Buffer Guidelines is measured horizontally from the full pond elevation of 800'. Remember that the most conservative regulations are those that will apply to the areas in question.

The Lake Buffer Guidelines provide for a "Lake Buffer," which is a 50-foot minimum distance setback from the full pond contour elevation along the entire shoreline of the Lake, within the boundaries of Waterford Pointe as noted on the final plat. The area within the Lake Buffer composes the "Lake Buffer Areas."

If your Lot in Waterford Pointe abuts the Lake, a "buffer" is established on it. The intent of the buffers is to implement land use restrictions that preserve the Lake Buffer Areas in a "near-natural" state. The buffers are depicted on the recorded plat(s) for Waterford Pointe. Some work has occurred in the Lake Buffer Areas such as utility and drainage improvement construction and construction of pathways for water access. However, any disturbances thus far inside the Lake Buffer Areas have been stabilized. Mature trees within the Lake Buffer Areas may not be removed unless dead or diseased. Mature trees are defined, within the Lake Buffer Areas, as any deciduous or evergreen trees 4" or greater in caliper and any dogwood or flowering trees 1.5" or greater in caliper. Any construction (or modification of the surrounding environment) by individual homeowners near, or in, the Lake Buffer Areas must be reviewed and approved by the ACC in accordance with the Lake Buffer Guidelines before commencing any such activity.

Storm water passes from the street curb inlet system to the underground storm drainage network. At the outlets of this underground drainage system, the concentrated flow leaving the drainage pipe is slowed down through energy dissipation, and dispersed to create a sheet flow through the Lake Buffer Areas. These permanent stone lined basins are dry until rainfall occurs, at which time they fill an overflow uniformly to reduce the potential erosion impact to the Lake Buffer Areas. These basins are located within easements over the Lots and must be protected.

##### **3.1.2 General Requirements**

3.1.2.1 Erosion control devices are to be installed upstream out of the Lake Buffer Areas.

3.1.2.2 Shoreline Stabilization is allowed as long as minimal disturbance to the Lake Buffer occurs, and ACC approval has been obtained.

3.1.2.3 The following may be permitted once ACC approval has been granted:

- Removal of Dead or Diseased Trees
- Planting of Shrubs and Groundcover

##### **3.1.3 Lake Buffer Prohibitions and Restrictions**

3.1.3.1 Grass or lawn areas within the Lake Buffer Areas are not permitted. Care must be taken to insure that grasses from manicured or maintained lawns do not encroach into the Lake Buffer Area. Lake Buffer Areas that have pre-existing natural grasses cannot be maintained as a lawn (e.g. cannot be mowed or closely cut and cannot be treated with fertilizers or other chemicals). Natural ground covers may be installed in the Lake Buffer Areas with ACC approval, but cannot be mowed or treated with fertilizers or other chemicals.

3.1.3.2 Unless approved by the ACC, impervious structures such as driveways, boathouses, and other impervious improvements are prohibited in the buffer area. See section 3.1.5

3.1.3.3 Removal of natural leaf fall from within the Lake Buffer Areas is not encouraged.

3.1.3.4 No deciduous or evergreen trees 4 inches in caliper and larger, nor any dogwood or flowering trees 1.5" in caliper and larger are to be removed, unless dead or diseased.

3.1.3.5 Other than for the construction of an approved walkway or golf-cart path (See Section 3.2.4), heavy equipment may not be used for grading, tree or stump removal, or other activities that disturb the natural surface within the Lake Buffer area.

#### 3.1.4 Lake Buffer Guideline Vegetation Requirements

3.1.4.1 Tree pruning within the Lake Buffer Areas is allowed by removing only lateral links from the lower fifty percent of the tree's height. Topping is not allowed.

3.1.4.2 Planting of additional trees, shrubs, groundcovers and perennials within the Lake Buffer Areas may be approved if done with minimal disturbance to root systems of existing trees. In general, only native type vegetation is permitted.

#### 3.1.5 Walkways, Patios, Sitting Areas, Retaining Walls, and Other Miscellaneous Improvements

ACC approval is required prior to the installation or construction of walkways, golf-cart paths, patios, or other "hard" improvements within the Lake Buffer Areas within the Waterford Pointe community. Hard improvements are defined as any improvement that uses boulders, stone, concrete, pavers, timbers, and similar materials. If not part of an ACC approved landscape or building plan, submittal of Schedule N is required before construction. A fee or deposit (see Schedule Q) may be required.

3.1.5.1 Walkways and paths may have a clearing width of approximately 6 feet and should be at least three feet but not more than five feet wide. They should use flowing curves where possible, and should be located and constructed so as to minimize disturbance of mature trees. Concrete, pavers, flagstones, timbers, and other similar materials may be used. Compliance with guidelines established by Duke Energy, Oconee County, and Waterford Pointe is required (See Section 3.1.1 and Section 3.1.5.4).

3.1.5.2 Patios, sitting areas, and other miscellaneous improvements: These improvements with "hard" features are not allowed within the 25-foot buffer in order to preserve the natural beauty of the Lake. These types of improvements within the next 25 feet of the 50-foot buffer will be allowed provided consideration is given to features such as pervious characteristics, color, extent of earth disturbance, extent of tree removal, etc.

3.1.5.3 Permanent walkways, patios, and other hard improvements will not be allowed on unimproved lots.

3.1.5.4 Duke Energy does not allow any impervious surfaces (concrete) below the 804' elevation. All concrete walkways must end at that point or at a higher elevation. The Oconee County Zoning Ordinance establishes limits on impervious surfaces within the 25-foot buffer (normally the 804' line is within the 25-foot buffer). The County impervious limit is three percent of the buffer area for each lot. The Waterford Pointe ACC cooperates with Duke Energy and Oconee County concerning their regulations and expects compliance from all property owners.

### 3.2 SHORELINE MANAGEMENT

#### 3.2.1 General

The design, color, location, dimensions and materials of docks, piers, boat slips, mooring posts, seawalls, and any other structure or improvement constructed adjacent to or appurtenant to a Waterfront Lot or otherwise within the boundary of Lake Keowee must be approved in advance in writing by the ACC. The Owner is responsible to obtain all permits or approvals required from Duke Energy Lake Management and/or other applicable agencies.

Generally, any waterfront improvement should have a low profile and open design to minimize obstruction of neighbors' views. Enclosed or two-level docks and enclosed or two-level boathouses will not be allowed. To limit the

visual intrusion of the built environment on the Lake, individual docks, piers, and/or boat slips will be allowed to have only one (1) roof structure unless specifically approved by the ACC.

### 3.2.2 Docks, Piers, and Boatslips

An ACC processing fee, Dock/Boat slip, Pier and the Construction Escrow Deposit are required prior to the installation of an individual dock, pier, or boat slip within the Waterford Pointe community (see Schedule Q). Docks, piers, and boat slips, must be located within the recorded pier zone and constructed so as to minimize grading and clearing of vegetation at or near waterfront areas. The point of access of a dock, pier or boat slip and any site disturbance or clearing associated with its placement or construction must be submitted to the ACC for approval (see schedules L1,L2).

Docks, piers, and boat slips must be constructed of new materials, and must be compatible in style with other Improvements on the Lot (See Schedule J).

#### Materials:

- 1) Treated Lumber: Wood decking and handrails to be no less than Grade 1 .40 treated pine. Wooden structural components such as joist and girders shall be of no less than grade 2 .40 treated pine.
- 2) Steel: Any steel components in a marine environment shall be adequately protected against corrosion and chemical breakdown. Hot-dipped galvanizing is the most common and effective method in freshwater.
- 3) Aluminum: Construction shall be of adequate strength as to support implied dead and live loads.
- 4) Flotation: All flotation material shall be approved by Duke Energy Lake Management. Encapsulated PolyStyrene is the most commonly accepted flotation material.
- 5) Piles: Wood piles should be of no less than .60 treated pine. Steel piles should be protected against corrosion. Painted with an epoxy or hot-dipped galvanizing are the most common methods. Aluminum Piles are accepted.
- 6) Hardware and Miscellaneous: All nails, bolts, screws, hangers, brackets and miscellaneous hardware items shall be hot-dipped, galvanized or Stainless Steel.
- 7) Handrails: Treated Lumber, Metal, or Aluminum materials are permitted, as long as they conform to the style and type of the dock improvements utilized throughout.
- 8). Roofs: Docks with roofs must be dark green, metal hip roofs. Gable or shed roofs are not allowed.

### 3.2.3 Shoreline Stabilization

An ACC processing fee and the Construction Escrow Deposit are required (see schedule Q) prior to the installation of shoreline stabilization within the Waterford Pointe community (see Schedule M attached hereto). Shoreline Stabilization should be located and constructed so as to minimize grading and clearing of vegetation at or near waterfront areas. Methods of stabilization will be limited to riprap and or planting of "emergent" grasses that will grow in fluctuating water levels. All methods must be approved by Duke Power Lake Management.

### 3.2.4 Procedure for Shoreline Stabilization, Piers and Docks

#### 3.2.4.1 Property Owner:

- a. Review ACC Guidelines with regards to shoreline, piers and docks
- b. Obtain all permits and approvals from Duke Energy Corporation and/or other applicable agencies
- c. Complete Appropriate Schedule with required plans. (M for shoreline stabilization, L-1 for Dock, L-2 for Pier) write checks for escrow and fees according to schedule Q and submit to ACC

#### 3.2.4.2 ACC

- d. Verify receipt of the above documents and payments
- e. Forward payments to Finance Committee
- f. Notify owner of any discrepancies and/or approval to proceed with the plan
- g. File all communications in Lot folder

#### 3.2.4.3 Property Owner

- h. Notify ACC when construction is completed.
- i. Request Inspection and request escrow refund (Schedule E).

#### 3.2.4.4 ACC

- j. Review construction
- k. Inform property owner of any issues to be resolved
- l. Request finance committee to refund escrow fee when issues are complete

### 3.3 HOMEOWNER RESPONSIBILITIES

#### 3.3.1 General

Waterford Pointe, as a unique, wooded, lake front community, gains its intrinsic value from the Lake Buffer Areas. The Lake Buffer Areas are to be preserved by the homeowner in accordance with the Lake Buffer Guidelines. Lake Buffer can be entered or modified, but activities are limited and subject to review and approval.

#### 3.3.2 Additional Permissible and Impermissible Activities

**Recreation** - The natural habitat preserved in the Lake Buffer Areas is an amenity for the homeowner and can be used for walks, nature study, and limited children's play. These areas should be shown considerate respect by limiting children's impact and not allowing play areas to cause erosion or structures (such as playhouses) to create impervious cover. Repeated, intense use could lead to denuded areas and subsequent erosion problems.

**Disposal** - Disposal of spent oil, chemicals (household cleaners, paint thinner, etc.), or other solids or liquids with the potential for damage into the storm drainage system or on the ground near the Lake Buffer Areas, is prohibited. In addition to the specific regulations, the homeowner is encouraged to avoid the excessive use of fertilizers, pesticides or herbicides and to avoid land disturbing activities immediately adjacent to the Lake Buffer Areas.

## **4 PRE- AND POST-CONSTRUCTION PERIOD IMPROVEMENTS**

### **4.1 PRE-CONSTRUCTION LOT IMPROVEMENTS**

Prior to house construction, Owners often desire to clear the Lot of weeds and brush, remove small or dead/diseased trees, and establish a path to the lake or a parking area.

Owners are encouraged to clean their Lot, including removing dead or diseased trees and as desired live trees smaller than the restriction-size in Section 2.3.3 of these Guidelines. Owners removing brush or live trees that are outside the Lake Buffer zone and are smaller than the restriction-size in Section 2.3.3 of these Guidelines do not require ACC approval. Owners needing to remove restriction-size dead or diseased trees that threaten safety need only to notify the ACC that removal is underway/planned; the ACC recommends that the Owner transmit pictures or at least descriptions (e.g., type, size and location) of such trees with the notification. This information will be placed in the ACC's Lot file. Owners undertaking lot clearing in the Lake Buffer zone must follow the procedures in Section 4.4 and Shoreline restrictions listed in Section 3.2, Shoreline Management. Removing living trees of restriction size is not allowed prior to construction and landscape plan approval.

Temporary paths, drives or parking areas that do not require grading and use only decomposable surfacing (e.g., mulch) do not need ACC approval. However, owners who wish to establish a temporary path, drive or parking area that requires any type of grading or non-decomposing surfacing (e.g., gravel) need to follow the procedures indicated below in Section 4.3. Retaining walls or surface reconstruction may be required; and grading for paths in the lake buffer zone is restricted to 6 feet in width. Permanent surfaces (e.g., concrete, asphalt) for path, drive or parking areas are not allowed prior to approval of Final Building Plans and Specifications (see Section 1.1). Owners who wish to install utilities also need to follow the procedures indicated below in Section 4.3.

Owners are not allowed to have structures (other than docks and piers) on the Lot prior to construction approval. The Covenants also prohibit camping (tents and campers) and other temporary structures on the Lot.

### **4.2 POST- CONSTRUCTION PERIOD IMPROVEMENTS** (e.g., Additions, Remodeling and Other Projects that Affect the Exterior Appearance of Existing Homes or their Landscaping)

After initial construction on homes is completed and as homes are resold, Owners may want to make changes or additions that improve, personalize or better adapt the home and yard to different needs and lifestyles. The ACC supports and encourages homeowners to continue to enhance their properties but also wants to ensure that the original intent of the "Waterford Pointe Architectural, Landscape and Lake Buffer Guidelines" is maintained for the protection of the community.

All work that falls in the following categories will require the approval of the ACC, payment of a review fee, and the payment of a construction escrow as outline in Schedule Q\*:

- Projects that add to or change the roof of a home or detached building or add new chimneys.

- Projects that require additions to existing foundations and or excavation with motorized equipment.

- Projects that change the exterior appearance of an existing home, including the following:

  - Changing shutters, windows or door style or material

  - Changing paint colors, roof material or coloring, or exterior surfacing materials

  - Changing the location, number or size of major equipment (e.g., HVAC, Satellite Dishes)

  - Adding exterior lighting

- Projects that would redirect existing rainwater runoff from a home owner's Lot to an adjoining Lot.

- Projects that encroach on property lines, the 50 ft. set back from the 800 ft. lake elevation or utility/drainage right-of-ways.

- Projects that remove healthy trees or significantly change the landscaping (hardscape or plantings) from the plan approved at construction.

- Projects that add exterior exercise or play equipment/facilities, lawn ornaments, water features (e.g., ponds, waterfalls, and fountains), sheds and other outbuildings, and other attached or detached structures (e.g., patios and decks).

- Projects that add or change fencing, walls, drives, or walkways.

- Projects that change docks, piers, boatslips and seawalls (see Shoreline Management).

- Projects that require a county building permit.

\* Review fees and construction escrow will not normally apply to small projects or changes, but either or both could be required after the ACC review of the project scope and project duration.

Maintenance and replacement projects that do not change the appearance of the residence do not need ACC approval. Projects that complete the landscaping plan approved at time of construction or result in only minor variations in such plan do not need ACC approval. Interior projects that do not require a building permit and do not change the appearance of the house from the exterior do not need ACC approval.

#### 4.3 Requirements for ACC Approval of Pre- or Post-Construction Period Improvements

##### 4.3.1 Documents Required

- A completed Schedule "N" (2 copies)
- A written project description attached to the Schedule "N" if not enough space is on the form (2 Copies)
- A marked plot plan showing the location and scope of the project (2 copies)
- Some projects may require drawings or sketches for adequate review and approval (2 Copies)
- Color and material samples (if different than existing)

##### 4.3.2 Requirements for Work to Begin

- An approved Schedule "N"
- Approved drawings and sketches
- Payment of any required Review Fees and Construction Escrow as per Schedule Q

##### 4.3.3 Time Limit on Improvements

Ninety (90) days is typically allowed from beginning to end of project. However, owners undertaking major projects may request a time extension using Schedule N.

##### 4.3.4 Tree Removal Requiring ACC Notification

As noted in Section 2.3, our community desires to preserve a natural look, which includes the preservation of existing trees. However, at times outside of the home construction period, the removal of trees may be needed. In addition, safety may require the removal of limbs or trees that pose a hazard. The following procedure is to be used when safety is not an immediate issue. Owners needing to remove dead or diseased trees that threaten safety need only to notify the ACC that removal is underway/planned. The ACC recommends that the Owner transmit pictures or at least descriptions (e.g., type, size and location) of such trees with the notification. This information will be placed in the ACC's Lot file. Refer to section 1.1.6

###### Home Owner:

- Identify trees that are to be removed.
- Contact the ACC in writing (E-mail or letter) to request a review of the plan.

###### ACC:

- Review plan and contact property owner.
- Provide to owner written documentation of permission.
- File documentation in the property owner's Lot file.

###### Property Owner

- Proceed with work after receipt of ACC approval.
- Contact ACC in writing (E-mail or letter) when work is completed.

## **5 CONSTRUCTION RULES**

### **5.1 APPLICABILITY**

These construction rules (collectively the "Construction Rules") shall apply to all Lot Owners and their builders, and any reference herein to an Owner shall also apply to the Owner's builder and subcontractors. All Owners shall abide by the Construction Rules and such other rules as the Board and/or the ACC may establish from time to time. Construction of Boat Piers must be permitted by Duke Power Company, and any part of the pier or access thereto which is located over the Lake Buffer Areas must be reviewed by the ACC.

### **5.2 CONSTRUCTION HOURS AND NOISE**

All construction activities must be conducted and all deliveries must be made from 7:00 a.m. until 8:00 p.m. Monday through Saturday; provided, however, no construction activities shall be conducted and no deliveries shall be made on July 4, Labor Day, Thanksgiving Day, Christmas Day or New Years Day. Additionally, construction activities are permitted on Sundays, but such activities shall be performed in a manner as to be considered "low impact" by the ACC; excessive noise and the use of heavy equipment is not allowed on Sundays. Loud radios or distracting noise (other than normal construction noise) are not allowed within the community during construction. Normal radio levels are acceptable within the interior of fully enclosed homes-

### **5.3 RUBBISH AND DEBRIS**

In order to maintain a neat and orderly appearance at all times throughout Waterford Pointe, the following rubbish and debris rules must be strictly followed:

#### **5.3.1 Exterior Construction Debris**

With regard to all construction debris located on a Lot outside the walls of a residence that is under construction, the following rules shall apply:

5.3.1.1 At the end of each day on which work occurs on the Lot, all lightweight, blowable construction debris, such as roofing paper, insulation bags, foam sheathing, polyethylene, etc., must be placed in an approved containment device on the Lot.

5.3.1.2 At the end of the day on each Friday, all non-blowable construction debris, such as wood scraps, shingles, brickbands, drywall, bricks and masonry blocks, must be placed in an approved containment device on the Lot.

#### **5.3.4 No Burning or Burial.**

Burning or burial of construction debris or vegetation is prohibited.

### **5.4 STREET CLEANING**

Waterford Point ACC shall have the right, without notice, to clean up any significant amount of dirt, gravel, cement, etc., left on any street if the same is not immediately removed by the responsible Owner, to charge the cost of such clean up to the responsible Owner and to receive reimbursement for the expense of such clean up from the responsible Owner.

### **5.5 SILT FENCES**

Silt fences and/or other devices for sedimentation control shall be installed where necessary or as directed by the ACC, and as shown on the approved erosion control plan.

### **5.6 MATERIAL STORAGE**

No construction materials, equipment or debris of any kind may be stored on any street, curb, sidewalk or area between streets and sidewalks, on any adjacent Lots or otherwise than in the locations approved by the ACC.

## **5.7 TRAILERS**

No construction office trailers may be placed, erected or allowed to remain on any Lot or in any other area in Waterford Pointe, except as approved in writing by the ACC.

## **5.8 CONSTRUCTION ACCESS**

During the time a residence or other Improvements are being built, all construction access shall be confined to the approved driveway for the Lot, unless the ACC approves an alternate access way.

## **5.9 GRAVEL DRIVES**

Prior to the commencement of construction on a Lot, the Owner of such Lot or such Owner's contractor shall provide at the approved driveway location a gravel drive from the paved street toward the house under construction, for a minimum of 50'.

## **5.10 PARKING**

All vehicles must be parked so as not to impede traffic or damage vegetation. No vehicles (trucks, vans, cars, trailers, construction equipment, etc.) may be left parked on any streets within Waterford Pointe overnight. Construction vehicles may be left on the gravel drive of a Lot overnight only if additional use of the vehicle will be made within the following three (3) days. Subcontractors are to be instructed to park on the street adjacent to the Lot or on the gravel drive, not in common areas or within the right-of-way.

## **5.11 MISCELLANEOUS PRACTICES**

The following practices are prohibited at Waterford Pointe:

5.11.1 Changing oil of any vehicle or equipment.

5.11.2 Allowing concrete suppliers and contractors to clean their equipment other than within the clearing areas (approved by the ACC) for a Lot.

5.11.3 Careless disposition of cigarettes and other flammable material.

5.11.4 Operators of vehicles are required to use due care to ensure that they do not spill any damaging materials while within Waterford Pointe. If spillage does occur, the operator of the vehicle is responsible for properly cleaning up the spill. Any such clean up operations completed by Waterford Pointe's personnel will be charged to the responsible party. Any spills must be reported to the ACC Operations Manager in writing as soon as possible.

## **5.12 PETS**

Builder and contractor personnel may not bring pets into Waterford Pointe.

## **5.13 COMMON AREAS**

Except with the prior written permission of the ACC, builder and contractor personnel are not allowed in the Common Areas, and no construction access will be allowed across the Common Areas.

## **5.14 ACCIDENTS**

WPOA and the ACC shall be notified immediately of any accidents, injuries or other emergency occurrences (or such location as otherwise approved by the ACC).

## **5.15 PORTABLE CHEMICAL TOILETS**

An enclosed and regularly serviced portable chemical toilet must be provided at each residence under construction, and must be located in as inconspicuous a location as possible.

## **5.16 VEHICULAR TRAFFIC AND SPEED LIMITS**

All vehicles must travel at a safe operable speed through an inhabited neighborhood.

## **5.17 SIGNS**

The following signs (maximum size of five square feet each) will be allowed during construction: (a) one building permit/permit container, (b) one builder sign, and (c) one "for sale" sign. For Sale signs must conform to the design specified on Schedule R. No signage (including the building permit/permit container) may be attached to trees. One additional builder sign and one additional "for sale" sign may be erected along the 804' line on waterfront Lots. All signs except a for sale sign must be removed upon the issuance of the certificate of occupancy.

## **5.18 PROPERTY DAMAGE**

Any damage to streets and curbs, drainage inlets, water meters or boxes, street lights, street markers, mailboxes, walls, fences, etc. may be repaired by WPOA and the cost of such repairs will be billed to the responsible Owner. If not paid promptly, the repair cost will be assessed as a special individual assessment. If any telephone, cable TV, electrical, water or other utility lines are cut, it is the responsible party's obligation to report such an accident within thirty (30) minutes to the appropriate utility company.

## **5.19 GENERAL BUILDER RESPONSIBILITIES**

Builders are encouraged to maintain strict control over subcontractors to minimize soil and mud build-up in streets. Builders are advised to educate employees and subcontractors as to the location of the Lake Buffer Areas, the restrictions applicable to the Lake Buffer Areas and the ramifications for violation of the Lake Buffer Guidelines (i.e., fines). Planning the home constructions with the erosion control measures and the Lake Buffer Guidelines specifically in mind will be crucial to the success of each builder in Waterford Pointe. Where the Builder desires to modify the vegetation in the Lake Buffer Area or construct pathways or shoreline stabilization in the Lake Buffer Area, a Lake Buffer plan must be first submitted to the ACC for approval prior to construction. In addition to protecting the Lake Buffer Areas and controlling erosion, builders are encouraged to develop Lot plans that preserve natural wooded areas wherever possible and that minimize Lot grading and disturbance. Alignment of utilities and access should be planned to minimize the cutting of mature trees.

- **Builders are encouraged to be guardians against:**
  - Excessive trash build-up and/or disposal on the project either on Lots or in Common Areas
  - Changing of oil, maintenance of equipment, or disposal of chemicals or paints resulting in spills on the Lots or into the storm drainage system for Waterford Pointe
  - Use of excessive amounts of fertilizer or herbicides on seeded areas
  - Destruction or modification of any part of the permanent storm drainage system for Waterford Pointe
  - Unpermitted shoreline modification
  - Unauthorized disturbance of any Lake Buffer Areas
  - Improper use of, or disregard for, septic drainfield area

**SCHEDULE A  
WATERFORD POINTE  
APPLICATION FOR PRELIMINARY DESIGN APPROVAL**  
Lot # \_\_\_\_\_ Street Address \_\_\_\_\_

Submit this form with two (2) copies of preliminary house plans. One copy will be kept in the ACC's files and one copy will be returned to you.

Name of Lot Owner: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone: Work \_\_\_\_\_ Home \_\_\_\_\_ Cell \_\_\_\_\_

Email: \_\_\_\_\_

- I. Preliminary Site Plan (1" = 20', 30', or 40') (2 copies required)  
Location (with dimensions and materials) should be illustrated for each of the following site improvements on the Building Envelop Lot Plan:
- A. House and Other Improvements (garage, decks, patios, play equipment etc.) within Building Envelope
  - B. Front, rear, and side yard setbacks dimensioned
  - C. Driveway, sidewalks, and easements as shown on recorded plat
  - D. Fences and walls (including retaining walls)
  - E. Septic System location

- II. Preliminary Floor Plans and Exterior Elevations (1/4" = 1'- 0' or 1/8" = 1') (2 copies required)

Heated finished square footage:

\_\_\_\_\_ First Floor  
\_\_\_\_\_ Second Floor  
\_\_\_\_\_ Lower Level  
\_\_\_\_\_ Total

ACC Required and Suggested Modifications:

Required: \_\_\_\_\_

Suggested: \_\_\_\_\_

\_\_\_\_\_ Approved as Submitted

\_\_\_\_\_ Contingent Approval Subject to Required Modifications

\_\_\_\_\_ Disapproved

Advisory Design Professional: \_\_\_\_\_ Date: \_\_\_\_\_

Waterford Pointe

ACC: \_\_\_\_\_ Date: \_\_\_\_\_

**PRELIMINARY REVIEW DOES NOT CONSTITUTE EITHER FINAL PLAN APPROVAL OR  
AUTHORIZATION TO COMMENCE CONSTRUCTION. SEE ARCHITECTURAL GUIDELINES AND  
APPLICATION FOR FINAL DESIGN APPROVAL FOR THE APPROPRIATE STEPS TO FOLLOW  
PRIOR TO ANY CONSTRUCTION.**

**SCHEDULE B  
WATERFORD POINTE  
APPLICATION FOR FINAL DESIGN APPROVAL**

**Lot # \_\_\_\_\_ Street Address \_\_\_\_\_**

Submit this form with 3 copies of the plans listed, 1 copy of county issued septic permit, and checks required per Schedule Q.

Name of Lot Owner: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone: Work \_\_\_\_\_ Home \_\_\_\_\_ Cell \_\_\_\_\_

Email: \_\_\_\_\_

Builder: \_\_\_\_\_ Address: \_\_\_\_\_

Telephone: Work \_\_\_\_\_ Cell \_\_\_\_\_

Email: \_\_\_\_\_

- I. Final Site Plan (1"=20, 30, or 40") (3 copies required)  
Include on plan:  
A: House and other improvements (driveway, garage, decks, patios, play equipment etc.)  
B: Front, rear and side yard setbacks dimensioned  
C: Sidewalks and easements as shown on recorded plat  
D: Fences and walls (including retaining walls)  
E: Septic system location and 1 copy of county issued septic permit.  
F: Contour topography  
G: Clearing limits  
H: Dumpster  
I: Portable toilet  
J: Finish floor elevations for lower and main level
- II. Erosion Control Plan (3 required, may be combined with site plan if legible and clear)  
(See section 1.2.5 for requirements)
- III. Conceptual Drainage Plan (3 required, may be combined with site plan if legible and clear)  
(See section 1.2.6 for requirements)
- IV. Final House Plans (1/4" or 1/8" = 1') (3 required) Include: Plan view with room layout. Front, side and rear elevations showing design features such as stone, siding, trim, windows, doors etc. Roof shown in plan view.

First Floor Sq. Ft. (finished) \_\_\_\_\_ Unfinished Sq. Ft. \_\_\_\_\_

Second Floor Sq. Ft. (finished) \_\_\_\_\_ Total Overall Sq. Ft. \_\_\_\_\_

Lower Level Sq. Ft. (finished) \_\_\_\_\_

Total Sq. Ft. (finished) \_\_\_\_\_

Estimated Start Date: \_\_\_\_\_

Estimated Completion Date: \_\_\_\_\_

Page 1 of 2

**SCHEDULE B  
WATERFORD POINTE  
LOT# \_\_\_\_\_ APPLICATION FOR FINAL DESIGN APPROVAL**

V. Materials & Colors: Submit samples of exterior materials such as roof and stone or brick.

<u>Material</u>	<u>Color</u>
Foundation: _____	_____
Ext. Veneer Primary: _____	_____
Ext. Veneer Secondary: _____	_____
Ext. Trim: _____	_____
Front Door: _____	_____
Shutters: _____	_____
Garage Door: _____	_____
Roof: _____	_____
Windows: _____	_____
Exterior Lighting: _____	_____
Play Equipment: _____	_____
Swimming Pool _____	_____
Exterior Fireplaces: _____	_____
Outbuildings: _____	_____
Other: _____	_____

VI. ACC Comments:  
Required: \_\_\_\_\_

Suggested: \_\_\_\_\_

VII. Final Design Approval:  
 \_\_\_\_\_ Granted as noted above; however, construction start is subject to Site Inspection Approval to Commence Work.  
 \_\_\_\_\_ Granted as submitted; however, construction start is subject to Site Inspection Approval to Commence Work.  
 \_\_\_\_\_ Denied as noted above.

**I hereby agree to abide by the Waterford Pointe Covenants and Architectural, Landscape, Lake Buffer Guidelines.**

Builder/Lot Owners: \_\_\_\_\_ Date: \_\_\_\_\_

Reviewed and Approved By:

Advisory Design Professional By: \_\_\_\_\_ Date: \_\_\_\_\_

Waterford Pointe Architectural Control Committee By: \_\_\_\_\_ Date: \_\_\_\_\_

Site Inspection Approval to Commence Work By: \_\_\_\_\_ Date: \_\_\_\_\_

**SCHEDULE B-1**

**WATERFORD POINTE  
CONSTRUCTION ESCROW INFORMATION SHEET**

Lot Number : \_\_\_\_\_ Date \_\_\_\_\_

Owner's Name: \_\_\_\_\_

Address: \_\_\_\_\_ Phone: \_\_\_\_\_ E-Mail \_\_\_\_\_

Builder's Name: \_\_\_\_\_

Builder's Address: \_\_\_\_\_

Builder's Fax: \_\_\_\_\_ Builder's Phone: \_\_\_\_\_ E-Mail \_\_\_\_\_

Notices to be given regarding the use of the Construction Escrow Deposit will be done in conjunction with Section 1.5.3

In accordance with Section 10.5.1 of the Covenants, the ACC, Board or their agents shall have the right to enter the above referenced property to inspect suspected violations of the Architectural, Landscape, and Lake Buffer Guidelines.

**I acknowledge the Waterford Pointe Architectural Landscape and Lake Buffer Guidelines & Declaration of Covenants, Conditions and Restrictions have been read and will be followed. In the event that the property is subsequently sold, the builder, owner or responsible party assumes full responsibility for informing and providing the new home owner with the Declaration of Covenants, Conditions and Restrictions and Waterford Pointe Architectural Landscape and Lake Buffer Guidelines.**

Owner's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

If the contact person is to be different than the owner, then have the responsible party fill out the following:

In place of the Owner, I \_\_\_\_\_, agree to notify the homeowner of the Guidelines and Covenants, to accept the terms and conditions for notification regarding the use of the Construction Escrow Deposit as outlined in this document, the Covenants, Conditions, and Restrictions for Waterford Pointe, and the Architectural, Landscape, and Lake Buffer Guidelines.

Responsible Party's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Method of Contact: \_\_\_\_\_

ACC Use Only. Construction Escrow Utilized:		
Date	Reason	Amount
1.		
2.		
3.		

**Schedule B-2**  
**Waterford Pointe**  
**ACC Guideline Summary and Agreement**

It is the responsibility of the Builder and the Homeowner to be familiar with and to comply with the Guidelines as set forth. In addition, the builder's workers and/or sub-contractors are to be instructed to follow the Guidelines.

ACC Guidelines can be accessed via the Waterford Pointe Website (<http://www.waterfordpointe.org>) under "Construction Docs" or requested from the ACC. The homeowner should also be familiar with the Waterford Pointe Covenants, found also on the WP website under "Community Documents".

The following list is extracted from the ACC Guidelines and is meant to highlight some of the major areas of concern. This list is not meant to infer that other areas of the ACC Guidelines are not important but rather to highlight the requirements that have most frequently been found to be compliance issues in the past.

**1. Architecture and Design**

The architectural design must follow the design features defined in section 1 and 2 of the ACC Guidelines.

In particular:

**1.1 Chimneys**

Chimneys must be constructed with an exterior finish of brick, stone, stucco. Other materials must be approved in writing and in advance by the ACC. (see section 1.4.9)

**1.2 Porches**

Porch and deck supports must be a minimum of 8"x 8" of finished construction. (see section 1.4.10)

**1.3 Exterior lighting**

All exterior lighting including landscape and pier lighting, must be approved by the ACC and must not result in excessive glare and must not interfere with the privacy of nearby buildings. (see section 1.4.15)

**1.4 Satellite dishes**

Satellite dishes should be located so as to make the satellite dish as unobtrusive as possible (see section 1.4.12)

**1.5 HVAC equipment**

HVAC equipment shall be located and screened considering views from the street, lake and neighboring Lots (see sections 1.4.11 and 2.5.1)

**1.6 Plans**

The architectural plan must be approved and any modifications or changes made to the approved building plans must be submitted for approval by the ACC (see sections 1.1).

**1.7 Septic System**

In addition to the County and State requirements, the Waterford Pointe Septic System Installation Specifications regarding filter and riser must be followed (See Section 1.5.4)

**2. Construction**

**2.1 House location**

Care must be taken to locate each structure, when and where possible, so as not to infringe upon adjacent Lots and structures. (See section 1.2.1 of ACC Guidelines).

**2.2 Trees**

Healthy, mature trees located outside the Building Envelope and in the Lake Buffer area may not be cut down without the specific approval of the ACC (see sections 2.3 and 4.2.4).

**2.4 Sediment control**

Silt fences and/or other devices for sedimentation control shall be installed where necessary or as directed by the ACC, and as shown on the approved erosion control plan. All silt fences must be properly constructed and maintained. Metal posts should be used where appropriate. (see section 1.2.5)

**2.5 Grading**

Generally, where feasible, each Lot should be graded such that all water draining from such Lot does not drain onto adjoining Lots (see section 1.2.6).

### **3. Landscape Guidelines:**

Adherence to the Landscape Guidelines by all such parties will help ensure the continued success of Waterford Pointe as a premiere residential community of the highest caliber (Reference ACC Guidelines section 2).

#### **3.1 Landscape Plan**

Prior to the start of any landscape activity, a landscape plan must be submitted for ACC approval (see section 2.2). Owners and landscapers must be familiar with and are required to submit landscape plans that are in compliance with the Landscape Guidelines. (See Sections 2.2.4 and 2.2.5)

#### **3.2 Equipment Screening**

HVAC equipment and satellite dishes are to be screened to reduce their visibility from the street, from the lake and from neighboring properties. Evergreen plant materials are preferred for screening. (see section 2.5.1)

#### **3.3 Escrow Deposit Refund**

Refund of building escrow deposit is contingent upon completion of landscaping, and the resolution of all outstanding issues

### **4. Lake Side 50 Ft. Buffer Zone:**

In the best interest of the community that the natural state of the buffer zone be preserved, therefore:

#### **4.1 Identification**

The buffer zone will be staked out (identified) prior to and before any work is started on the site. These same stakes will be maintained throughout the construction process.

#### **4.2 Preservation**

Heavy equipment: i.e., bobcat, bulldozer, skidder or any similar equipment shall not be used in the buffer zone, without prior ACC approval. Removal of brush from the buffer zone will only be done upon approval by the ACC; under certain circumstances supervision by the ACC may be necessary.

#### **4.3 Tree Removal**

If permitted the cutting down and removal of any tree in the buffer zone should be done by professionals. If stump removal becomes necessary, it will be done by a stump grinder.

#### **4.3 Shoreline Activity**

Shoreline stabilization, boat dock placement and the path through the buffer zone all require ACC approval before they are started.

#### **4.4 Landscaping**

Landscaping in the buffer zone, i.e., planting, requires prior approval by the ACC. Planting of grass is not permitted.

#### **4.5 Additional Guidelines**

The shoreline and lake buffers are protected by the Guidelines as set forth by the Duke Shoreline Management Guidelines (SMG) and by Oconee County. Where conflicts exist between the ACC Guidelines and requirements defined by the SMG and/or by Oconee County, the most restrictive requirement must be met.

### **2. Miscellaneous:**

**Construction rules as outlined in the Guidelines must be followed. Work hours, noise and worksite maintenance are important issues both to the builder, owner and the neighborhood.**

**I have read the ACC Guidelines and the above Guideline highlights and agree to abide by them. I understand that I will be responsible for following these Guidelines and as stated above and as outlined in the covenants**

**Property Owner:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Builder :** \_\_\_\_\_ **Date:** \_\_\_\_\_

**SCHEDULE C  
WATERFORD POINTE  
APPLICATION FOR LANDSCAPE PLANS AND SPECIFICATIONS APPROVAL**

**LOT#** \_\_\_\_\_

**REQUIRED INFORMATION:**

Submission Date \_\_\_\_\_

Owner's Name : \_\_\_\_\_

Address: \_\_\_\_\_ Phone: \_\_\_\_\_ E Mail \_\_\_\_\_

Landscape Contractor \_\_\_\_\_ Phone \_\_\_\_\_ E Mail \_\_\_\_\_

Landscape Architect/Designer \_\_\_\_\_ Phone \_\_\_\_\_ E Mail \_\_\_\_\_

Projected Construction Initiation Date \_\_\_\_\_

Projected Construction Completion Date \_\_\_\_\_

Lot Owner Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**Note:** All pertinent information as outlined in the Landscape Guidelines, including exterior lighting, play structures, satellite dishes, shall be included on the plan submissions prior to plan review consideration.

This landscape plan is submitted for: \_\_\_\_\_ Preliminary Review  
\_\_\_\_\_ Final Review \_\_\_\_\_ Upgrade Review

The submitting party shall fill in all information above this line. Submit this form along with two copies of Landscape Plans directly to the reviewing ACC Operations Manager, 215 Amenity Way, Seneca, SC 29672.

**ACC PLAN REVIEW:**

The following action was taken subsequent to plan review:

\_\_\_\_\_ Approved with the condition that all plants be installed as represented on the approved plan without additions, deletions, or size modifications, unless approved in writing by the ACC.

\_\_\_\_\_ Contingent Approval - The plan as submitted does not meet the requirements of the ACC; however, approval will be given if the following required changes are made in full:

\_\_\_\_\_ Disapproved (revise and resubmit plans) for the following reasons:

Review and Approved By: \_\_\_\_\_

Advisory Design Professional: \_\_\_\_\_ Date: \_\_\_\_\_

Waterford Pointe Architectural Control Committee: \_\_\_\_\_ Date: \_\_\_\_\_

**FINAL REVIEW**

\_\_\_\_\_ Approved \_\_\_\_\_ Disapproved

Reason for Disapproval: \_\_\_\_\_

Inspection Date: \_\_\_\_\_ Inspection By: \_\_\_\_\_

**SCHEDULE D  
WATERFORD POINTE  
MINOR CHANGE APPLICATION**

Lot Number: \_\_\_\_\_ Date: \_\_\_\_\_

Owner's Name: \_\_\_\_\_  
Address: \_\_\_\_\_ Phone: \_\_\_\_\_ EMail \_\_\_\_\_

Architect: \_\_\_\_\_

Landscape Architect: \_\_\_\_\_

Description of requested change:  
\_\_\_\_\_

Reason for change:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(Please attach sketch specifications of proposed change)

\_\_\_\_\_ **ACC USE:**

On-Site Inspection Conducted by: \_\_\_\_\_ Date: \_\_\_\_\_

\_\_\_\_\_ ☐ DENIED      ☐ APPROVED      ☐ CONDITIONAL  
APPROVAL

Conditions: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Reviewed by:**

Advisory Design Professional: \_\_\_\_\_ Date: \_\_\_\_\_

Waterford Pointe ACC: \_\_\_\_\_ Date: \_\_\_\_\_

**SCHEDULE E  
WATERFORD POINTE  
REQUEST FOR FINAL INSPECTION/DEPOSIT REFUND**

Lot Number: \_\_\_\_\_

Date: \_\_\_\_\_

Owner's Name: \_\_\_\_\_

Address: \_\_\_\_\_ Phone: \_\_\_\_\_ E Mail \_\_\_\_\_

Requested Date of Inspection: \_\_\_\_\_

I do hereby certify in good faith that the contracted structure on said Lot does conform to the Standard Building Code, local codes, and the Waterford Pointe Architectural Control Committee requirements and standards and the final plans as approved by the Architectural Control Committee. All site work, landscaping, cleaning, removal of temporary utilities and repair of damage to rights of way and common areas has been implemented. This constitutes a request for return of Construction Escrow deposit.

**Required Documents:** Copy of Final Septic Permit and copy of Certificate on Occupancy

Owner's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**ACC USE:**

Certification of Waterford Pointe Septic System Installation Specifications: \_\_\_\_\_

Copy of Final Septic Permit forwarded to Grounds and Roads Committee: \_\_\_\_\_

Copy of (C.O.) Certificate of Occupancy to file: \_\_\_\_\_

Verify Owners Current Address, Phone, E-Mail: \_\_\_\_\_

ESCROW DEPOSIT: \_\_\_\_\_ DEPOSIT RETURNED IN FULL \_\_\_\_\_ PARTIAL REFUND

AMOUNT RETURNED: \_\_\_\_\_

REASON FOR WITHHOLDING:

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Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**SCHEDULE F  
WATERFORD POINTE  
GLOSSARY OF TERMS**

**Accent Tree**

A small flowering tree or a non-flowering tree with exceptional unique and interesting characteristics, such as leaf shape, leaf cover and/or flower color.

**Annual Flowers**

Flowers which are hot-house grown and available for seasonable displays in yards and gardens for colorful seasonal accents. These are replaced with other appropriate annuals when the season changes (e.g. annual periwinkle of summer replaced with pansies for the late fall and winter season).

**Arbor**

A decorative wood or metal structure used in the landscape to support the growth of plants (e.g. a wisteria arbor or rose arbor).

**Arborist**

A trained professional of Horticultural Science specializing in field identification, management, and maintenance of woody trees and shrubs.

**Automatic Irrigation System**

A network of underground pipes and sprinkler heads connected to a time clock which may be set to deliver a predetermined amount of water to various parts of a landscape at predetermined times of the day, operating independent of manual controls.

**Balled and Burlapped (B&B)**

Trees and large shrubs, which have been field grown rather than having been grown in containers. These plants are either hand-dug or machine-dug and their root balls are placed in tightly fitted burlap sacks to secure the root ball during transport prior to being planted.

**Caliper**

A term used in the nursery industry to describe the diameter of a tree to distinguish its relative size. Trees four inches (4") and under in caliper are measured six inches (6") above the ground to determine their caliper size; trees over four inches (4") in caliper at six inches (6") above the ground are measured at twelve inches (12") above the ground to determine their caliper size.

**Clearing Limits**

The area defined at the start of construction where trees may be removed for the new home.

T

**Container (Plant)**

A plant which has a root system and is grown and sold in a plastic container. The container size is changed for a larger one, successively, as the plant matures. These plants are referred to as "container plants" in the nursery industry to distinguish them from other plants which are grown and sold with other various root conditions (e.g. B&B or Bare Root, etc.).

**Crown or Canopy**

These terms are used interchangeably to refer to the top part of a tree where the branching occurs and where the majority of the leaves exist on the tree.

**Deciduous (Tree or Shrub)**

Numerous plant species which lose or shed their leaves in the autumn, are without leaves for the colder winter months, and send out new leaves in the spring which remain throughout the summer are referred to as deciduous trees.

**Deep-Root Fertilization**

Fertilization of typically large trees or groups of trees, most often those that have recently endured construction activity and exhibit signs of stress, where liquid fertilizer is administered directly to the roots of the plants by drilling with specialized equipment into the root zone. The fertilizer is therefore readily available to the plant. The goal is a more rapid and complete recovery of the tree as exhibited by improved vigor.

**Drainfield Envelope**

Refers to the area that contains nitrification (drainfield) lines of the on-site septic system for an individual dwelling. The term can also be used to refer to the reserved repair area.

**"Drip-Line" (Tree)**

This refers to the outermost perimeter of any tree or shrub canopy. It would be accurately described by the shadow cast by the sun if it were directly above the tree. This

line on the ground surface generally coincides with the outermost root growth of the tree.

#### Drought

Prolonged periods of time without rainfall. These periods require regular and complete supplemental watering to sustain newly planted or stressed, naturally occurring plant material.

#### Evergreen (Tree or Shrub, etc.)

Trees, shrubs and ground covers, etc. which retain the majority of their leaves throughout the year.

#### Final Landscape Plans and Specifications

The only landscape plans and specifications required by the ACC. The Final landscape plans and specifications for a Lot must contain certain basic information listed in the Guidelines and must be submitted at or before exterior finishes are begun on the house. Specific minimum planting requirements are listed in the Guidelines for each Lot category.

#### Flats

Plastic containers in which many annual flowers and ground cover plants are grown and sold.

#### Ground Cover (Plants)

Plant materials which have as one of their primary growth characteristics the predisposition to spread over the ground, often creating a dense mat over a period of time.

#### Groundwater

Water that naturally flows under the surface of the earth, often through the soil's pore spaces or in underground aquifers or streams.

#### Landscape Architect

A professional educated and trained in the thoughtful design of exterior spaces, which designs incorporate utility, practicality and aesthetics. Licensure is required in the State of North Carolina to refer to oneself as a landscape architect.

#### Landscape Contractor

A person educated and/or trained in the installation of plants and other materials to create aesthetically-pleasing outdoor environments.

#### Construction Escrow Account

A deposit required of all Lot Owners which is returned in full to the depositor when all construction is completed according to the Guidelines set for by the ACC. All or a portion of the deposit may be forfeited in the event that the Guidelines are not followed, in the sole discretion of the ACC.

#### Landscape Designer

One who designs landscapes. This individual may or may not have formal education in his or her field, and licensure is not required.

#### Lateral Branch (Tree)

A lateral branch of a tree is one that emanates from the main trunk. The main trunk has a vertical orientation relative to the lateral branches, which are more horizontal. The lateral branches comprise the majority of the tree's crown or canopy.

#### Limits of Clearing and Grading Line

The line beyond which no cut and no fill are permitted, with the intention of preserving existing trees.

#### Perennials

Plants which die back with the onset of cold winter temperatures only to return each spring of the year, or perennially – with a new flush of spring growth. The largest group of perennials is the herbaceous perennials which are often planted for their spectacular show of spring, summer, or fall flowers.

#### Pergola

A heavy wood or metal structure, sometimes similar to an arbor, but typically much longer (e.g., covering a portion of a walkway) and constructed of heavier construction materials than an arbor.

#### Pine Straw

Pine needles used as a mulching material for plants to retain moisture in the soil otherwise lost to evaporation and to reduce weed growth in planting beds.

#### Preliminary Landscape Plans and Specifications

Landscape plans and specifications which are required by the ACC and will not be considered a substitute for the Final Landscape Plans and Specifications are recommended when the Lot Owner desires feedback from the ACC on the adequacy of the Lot Owner's landscape plan prior to

submission of the Final Landscape Plans and Specifications.

#### Shade Tree

A large maturing tree, such as most oaks and elms which develop significantly large canopies or crowns, providing much-desired shade on a hot summer afternoon.

#### Streetscape

The portion of the landscape on either side of a street or roadway where trees, shrubs and other plant materials are combined with other street elements, like driveways, lightposts, street signs, etc., creating a distinct character to the experience of driving or walking along a particular street.

**SCHEDULE G  
WATERFORD POINTE  
RECOMMENDED PLANT LIST**

Appropriate and aesthetically pleasing landscaping of individual Lots at Waterford Pointe is integral to the success of the community as a whole. A list of recommended plant materials that thrive in our region is provided for use by Builders, Lot Owners, and landscape contractors. The list represents a core group of plants, evergreen and deciduous, flowering and non-flowering, of various sizes at maturity, which perform well in our area. The list is not absolutely complete, and naturally other plants not appearing on our list are worthy of consideration. The intention is to provide a group of plants which are well-suited to our geographic location and which exhibit desirable ornamental characteristics. Many of the plants listed are indigenous (native) to our region: and several display desirable characteristics such as drought tolerance (xeriscape plants) and tolerance of heavy (clay) soils. Local plant nurseries should be consulted to obtain specific information on the improved varieties that may be available and the sun/shade exposure requirements of each plant.

**Street Trees/Shade Trees:**

Red Maple, October Glory, Sunset, Autumn Flame  
Legacy Sugar Maple  
Southern Red Oak  
European Mountain Ash  
Ginkgo Biloba (male only)  
Shumard Oak  
Chinese Elm

Water Oak  
Purpleleaf Beech  
Linden (Littleleaf, American)  
Bloodgood London Planetree  
Zelkova  
Willow Oak

**Large-Maturing Evergreen Trees:**

Deodar Cedar  
Southern Magnolia  
Austrian Pine  
Norway Spruce  
Fosters Holly  
Pyramidal Arborvitae  
Bald Cypress

American Holly  
Cryptomeria Japonica (protected)  
Loblolly Pine  
Nellie R. Stevens Holly  
Emily Bruner Holly  
Savannah Holly

**Accent Trees (Flowering):**

Kwanzan Cherry  
Yoshino Cherry  
Okame Cherry  
Sourwood  
Vitex (Chaste Tree)  
Styrax Japonica (Japanese Snowbell)  
Smoketree  
Crabapple (improved varieties)  
Washington Hawthorn  
Eastern Redbud  
Star Magnolia  
White Fringetree  
Amelanchier (protected)

Viburnum Apulus (Japanese Snowball)  
Crape Myrtle species  
Weeping Japanese Cherry  
White Dogwood  
Kousa Dogwood  
Pink Dogwood  
Red Dogwood  
Pagoda Tree  
Purpleleaf Plum  
Saucer Magnolia  
Sweetbay Magnolia  
Witch Hazel  
Golden-rain Tree

**Accent Trees (nonflowering):**

Black Gum  
Wax Myrtle  
Green Japanese Maple  
Trident Maple  
Thornless Honey Locust  
Carolina Cherry Laurel

Chinese Pistache  
Bloodgood Japanese Maple  
Amur Maple  
American Hornbeam  
Heritage River Birch

**Evergreen Shrubs:**

Holly Species (i.e. Dwarf Burford Holly, Compacta Holly, Helleir Holly, etc.)  
Ligustrum Species  
Rhododendron Species (Carolina, Catawba, etc.)  
Azalea  
Laurel "species"  
Camellia Sasanqua (protected)  
Cypress and False Cypress Species  
Nandina Species  
Wax Myrtle  
Cotoneaster Species (Bearberry, Rockspray)  
Abelia  
Lorapetalum

Boxwood  
Euonymus Species  
Pieris  
Aucuba  
Camellia Japonica (protected)  
Gardenia (protected)  
Juniper Species  
Plum Yew  
Cleyera Japonica  
Osthmanthus "species"  
Inkberry  
Mahonia  
Dwarf India Hawthorn

**Deciduous Shrubs:**

Althea  
Spirea Species  
Butterfly Bush  
Flowering Quince  
Hydrangea "species"  
Sweetspice  
Dwarf Crape Myrtle  
Azalea

Barberry Species  
Burning Bush Euonymus  
Forsythia  
Shrub Roses  
Viburnum Species  
Mock Orange  
Weigela

**Groundcovers and Vines:**

Periwinkle  
Euonymus fortunei "coloratus"  
Shore Juniper  
Lirope  
Santolina  
Ajuga  
Ferns

Pachysandra  
Asian Jasmine  
Sarcococca  
Mondo Grass  
Lady Banks Rose  
Carolina Jessamine  
Clematis "species"

**Perennials:**

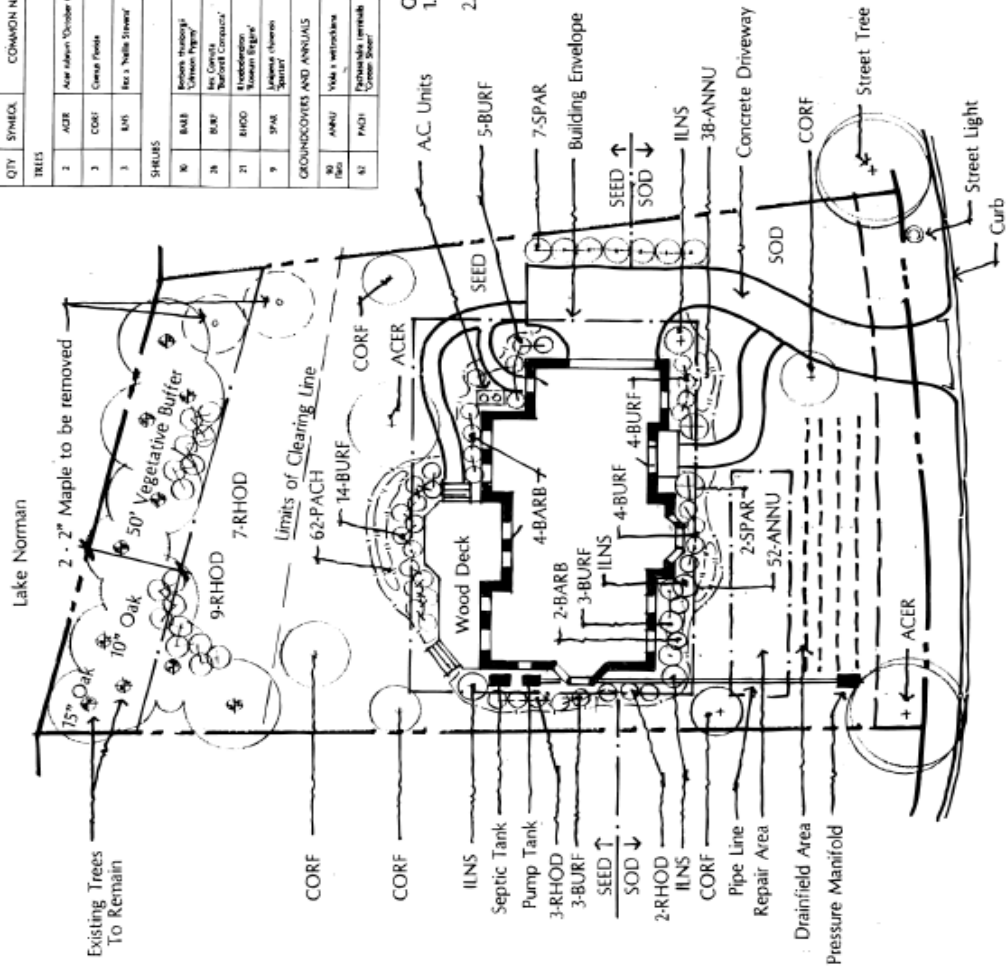
Sedum Species (Autumn Joy, etc)  
Coreopsis  
Iris  
Balloon Flower  
Liatris  
Primrose  
Coneflower  
Verbena  
Dianthus  
Ornamental Grasses  
Chrysanthemum

Rudbeckia  
Daylily Species  
Hosta Species  
Coral Bells  
Ferns  
Monarda  
Shasta Daisy  
Lillies  
Sage  
Aster

## PLANT SCHEDULE

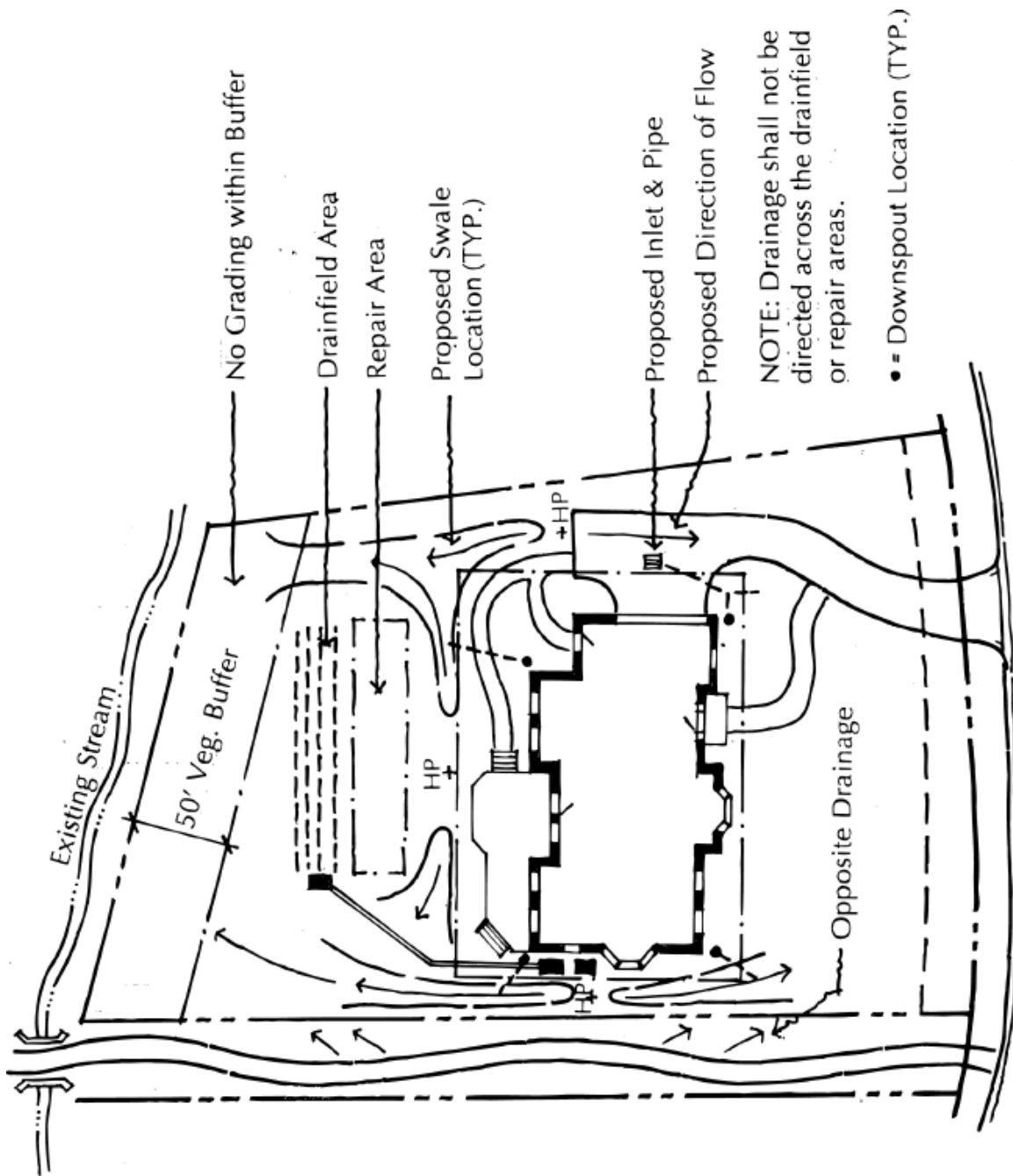
QTY	SYMBOL	COMMON NAME	BOTANICAL NAME	SIZE / SPECS
TREES				
2	AC2R	Asian Mahoe "Violence Day"	Ocotea Elata Red Maple	84x8, 3" x 3/4" Cal, 18' Hgt.
3	CD05	Canna Florida	Flowering Dogwood	84x8, 2" Cal, 6-8' Hgt.
3	BA15	Rex's "Noble Stems"	Noble Ironwood Holly	Adult tree, 8'x8' Hgt.
SHRUBS				
10	BA18	Bonnie's Hibiscus "Carmen Pops"	Carmen Pigeon Red Glory	3' Cal, 6' Ht.
28	BA10	Ann Camellia "Burdock Cornucopia"	Deer's Burdock Holly	3' Cal, 6' Ht.
21	BA00	Hydrangea "Romantic Begonia"	Enochianholia	5' Cal, 3' Ht.
9	SP45	Lamb's Ears "Spartan"	Spartan Juniper	84x8, 6'x6' Hgt, 5' Ht.
GROUNDCOVERS AND ANNUALS				
100 (flat)	ANNA	Violet w. variegation	Pansy	8" x 10" Ht.
12	PA21	Perennial Lavender "Carmen Snow"	Japanese Shaggy	Cal, 10" Ht.

1. All plant beds to receive 3" depth clean pine straw mulch.
2. All annual beds to receive 1-1/2" depth fine pine bark mulch.



LANDSCAPE PLAN  
Scale 1" = 10'-0"

**SCHEDULE I  
WATERFORD POINTE  
SAMPLE DRAINAGE PLAN**



**SCHEDULE J  
WATERFORD POINTE  
SHORELINE IMPROVEMENTS**

**Shoreline Stabilization & Dock Improvements**

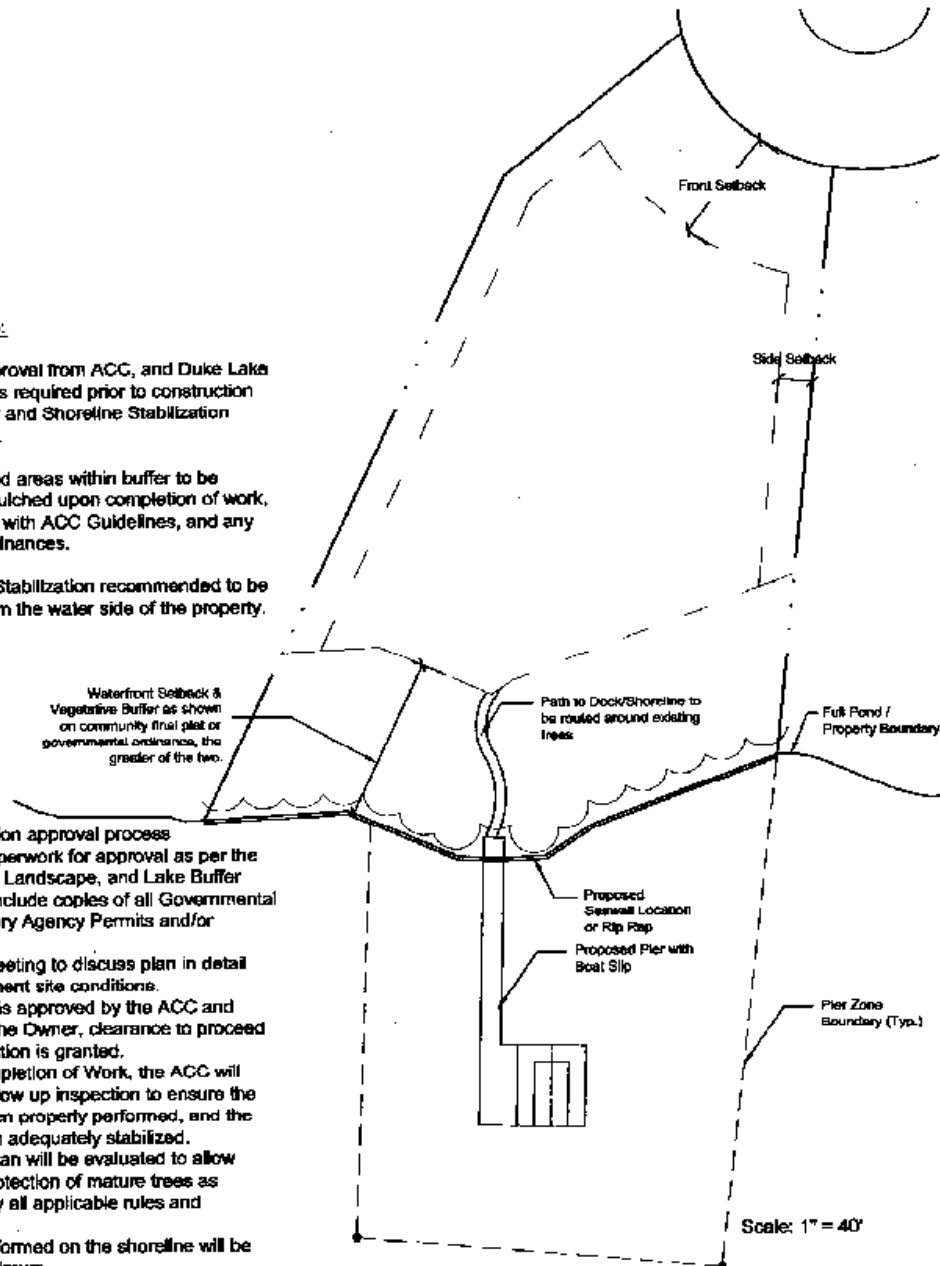
General Notes:

1.) Written approval from ACC, and Duke Lake Management is required prior to construction of Dock & Pier and Shoreline Stabilization Improvements.

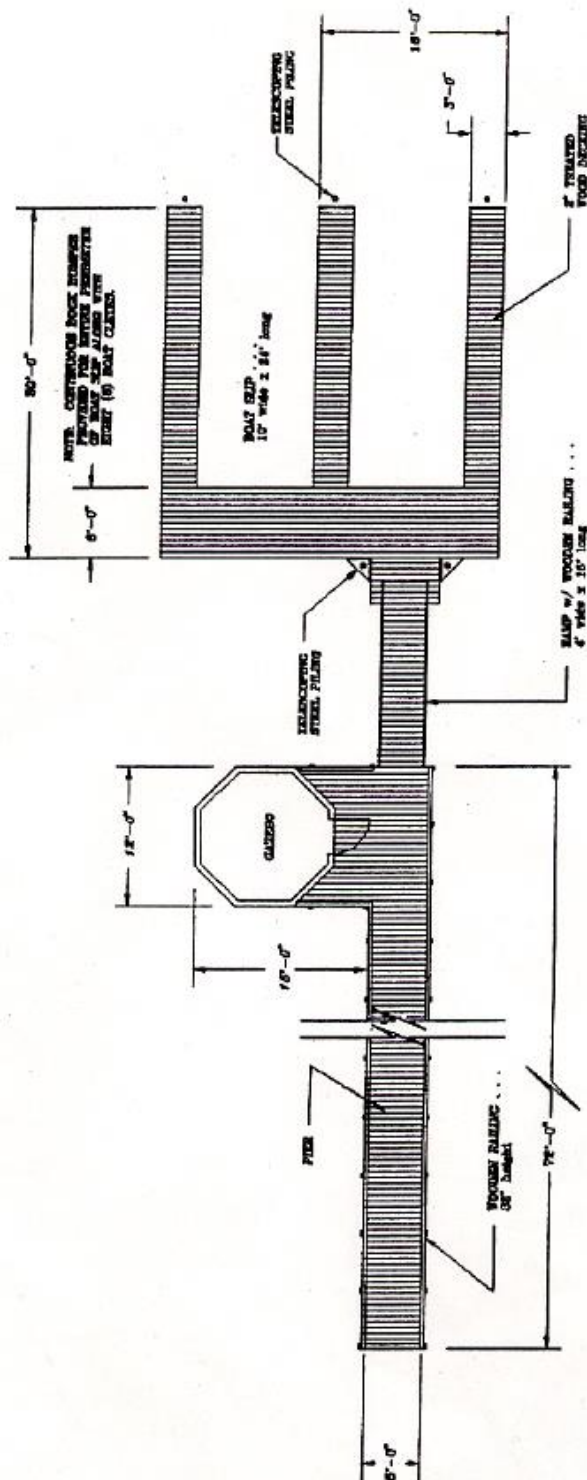
2.) All disturbed areas within buffer to be replanted & mulched upon completion of work, in accordance with ACC Guidelines, and any other local ordinances.

3.) Shoreline Stabilization recommended to be completed from the water side of the property.

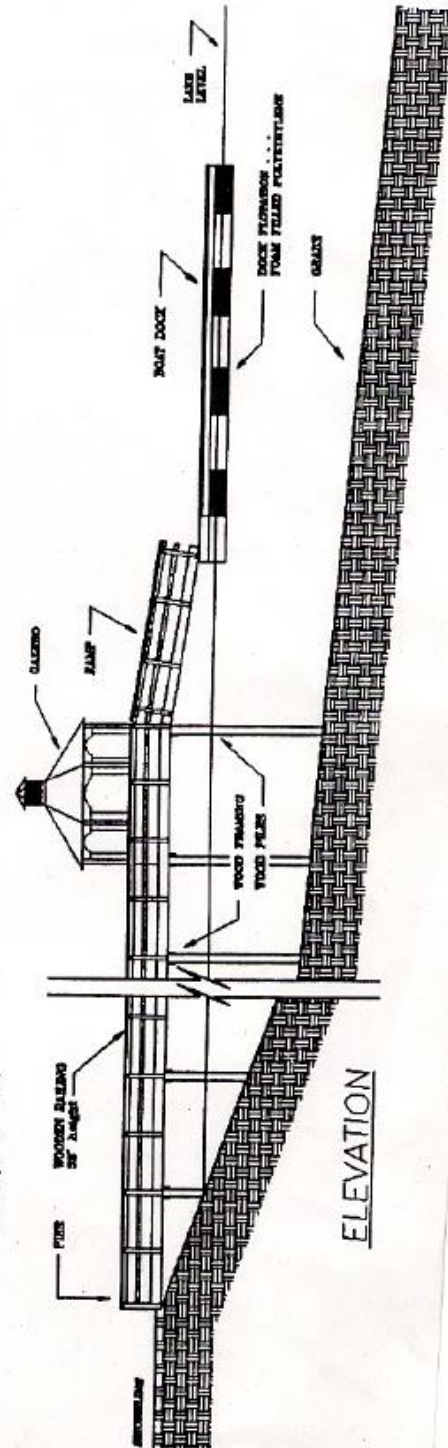
- 4.) Construction approval process
- a. Submit Paperwork for approval as per the Architectural, Landscape, and Lake Buffer Guidelines, include copies of all Governmental and Regulatory Agency Permits and/or approvals.
  - b. On-Site meeting to discuss plan in detail and to document site conditions.
  - c. Once Plan is approved by the ACC and received by the Owner, clearance to proceed with construction is granted.
  - d. Upon Completion of Work, the ACC will perform a follow up inspection to ensure the work has been properly performed, and the site has been adequately stabilized.
- 5.) Overall Plan will be evaluated to allow maximum protection of mature trees as prescribed by all applicable rules and regulations.
- 6.) Work performed on the shoreline will be held to a minimum.

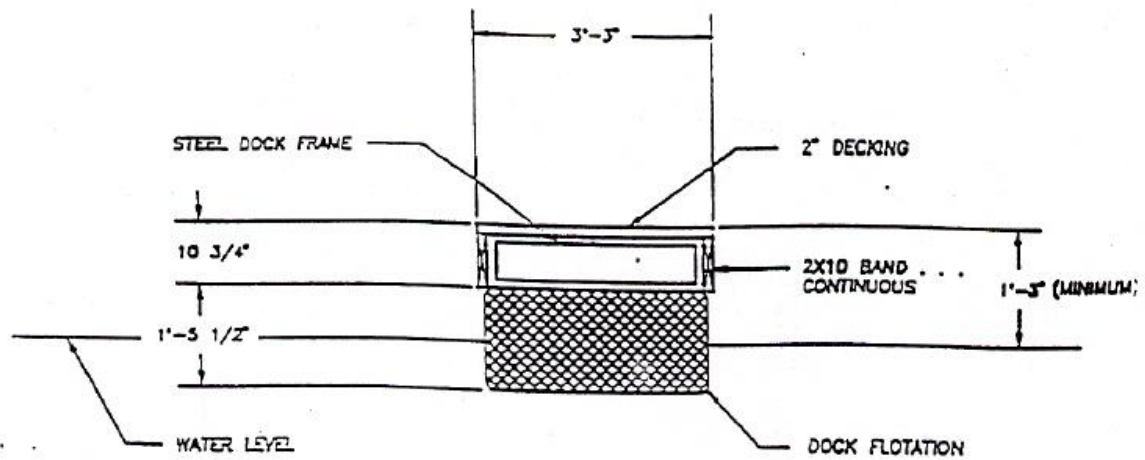


**SCHEDULE K  
WATERFORD POINT  
MATERIALS SPECIFICATIONS FOR DOCKS, PIERS, BOATSLIPS AND GAZEBOS**



**PLAN VIEW . . . . . RESIDENTIAL PIER & BOAT DOCK**

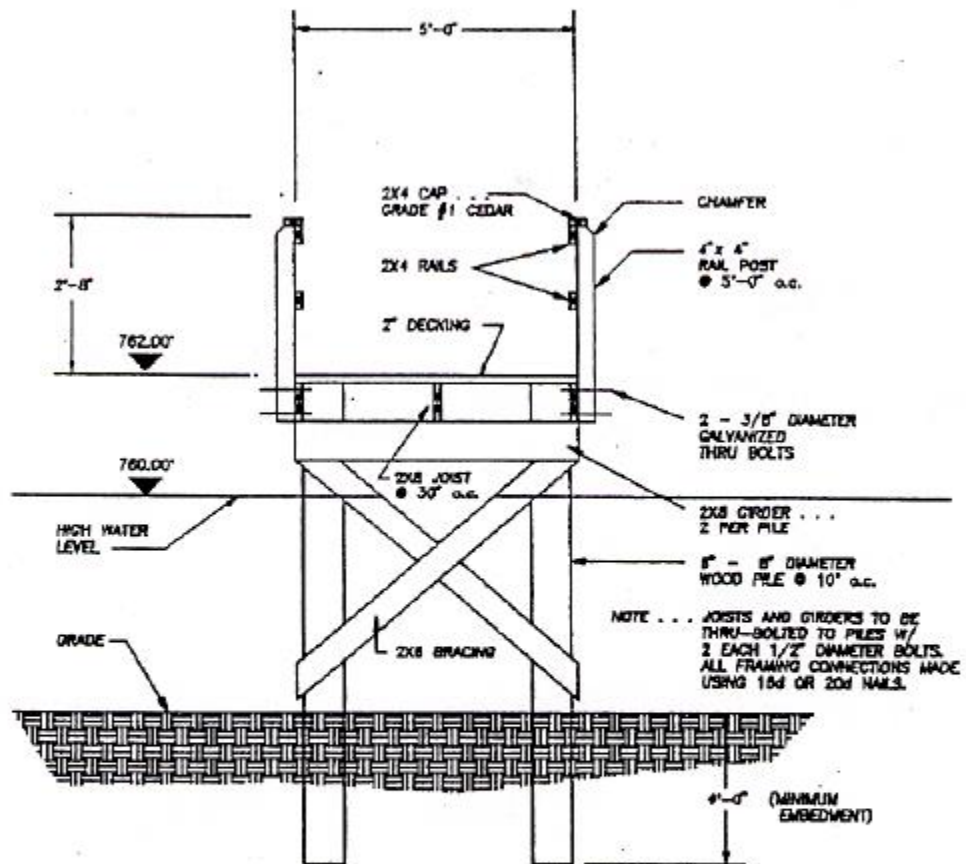




NOTE . . . . . ATTACH 2X10 BAND TO DOCK FRAME  
W/ 4 EACH 3/8" DIAMETER BOLTS

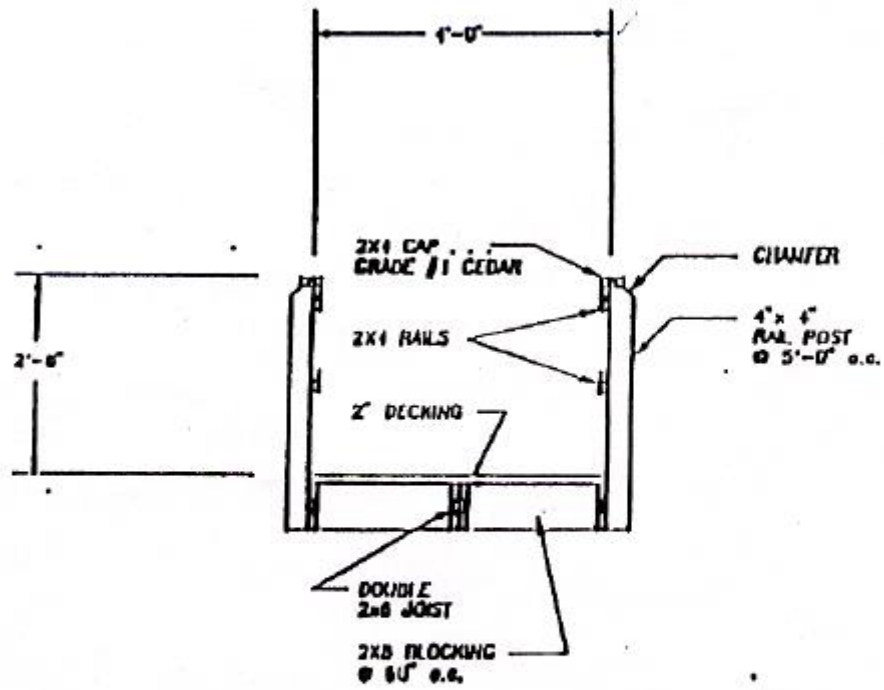
## SECTION THRU DOCK

scale : 1/2" = 1'-0"



## SECTION THRU PIER

scale : 1/2" = 1'-0"



## SECTION THRU RAMP

scale :  $1/2" = 1'-0"$

**SCHEDULE L-1  
WATERFORD POINTE  
DOCK  
REQUEST FOR REVIEW**

**LOT:** \_\_\_\_\_

**DATE:** \_\_\_\_\_

**Name:** \_\_\_\_\_

**Address:** \_\_\_\_\_ **Phone:** \_\_\_\_\_ **E Mail** \_\_\_\_\_

Materials and Components List (include colors and attach samples)

*Decking:* \_\_\_\_\_

Handrails: \_\_\_\_\_

Roof: \_\_\_\_\_

Pilings: \_\_\_\_\_

Additional Comments/Explanations: \_\_\_\_\_

Contractor Performing Work : \_\_\_\_\_ Phone \_\_\_\_\_

Lot Owner Signature: \_\_\_\_\_ Date: \_\_\_\_\_

- Attach Site Plan (Use Recorded Plat or PLOT Plan) at 40 Scale (1" = 40') Showing Precise Location Within the Pier Zone, and Dimensions
- Include Elevations Drawn to an Acceptable Scale
- Attach copies of all approvals and/or permits from all applicable Governmental and Regulatory Agencies
- Include Check for Construction Escrow (See Schedule Q) & Completed Schedule B-1, as Outlined in Section 5.4
  
- Mail to: Waterford Pointe Architectural Control Committee  
215 Amenity Way  
Seneca, SC 29672

**ALL SHORELINE WORK IS TO BE COMPLETED BY BARGE ONLY. NO TREES ARE TO BE REMOVED GREATER THAN 4" (4 inch) CALIPER.**

ACC Use Only:

**Plan Submitted:**

Approved: \_\_\_\_\_ Conditionally Approved: \_\_\_\_\_ Disapproved: \_\_\_\_\_

Comments: \_\_\_\_\_

Waterford Pointe ACC: \_\_\_\_\_ Date: \_\_\_\_\_

**Completed Site Inspection Date:** \_\_\_\_\_ **By:** \_\_\_\_\_

**SCHEDULE L-2  
WATERFORD POINTE  
PIER  
REQUEST FOR REVIEW**

**LOT:**\_\_\_\_\_

**DATE:**\_\_\_\_\_

**Name:**\_\_\_\_\_

**Address:**\_\_\_\_\_ **Phone:**\_\_\_\_\_ **E-Mail**\_\_\_\_\_

**Materials and Components List (include colors and attach samples)**

*Decking:*\_\_\_\_\_

**Handrails:**\_\_\_\_\_

**Roof:** \_\_\_\_\_

**Pilings:**\_\_\_\_\_

**Additional Comments/Explanations:**\_\_\_\_\_

**Contractor Performing Work :**\_\_\_\_\_ **Phone** \_\_\_\_\_

**Lot Owner Signature:**\_\_\_\_\_ **Date:**\_\_\_\_\_

- Attach Site Plan (Use Recorded Plat or PLOT Plan) at 40 Scale (1" = 40') Showing Precise Location Within the Pier Zone, and Dimensions
- Include Elevations Drawn to an Acceptable Scale
- Attach copies of all approvals and/or permits from all applicable Governmental and Regulatory Agencies
- Include Check for Construction Escrow (See Schedule Q) & Completed Schedule B-1, as Outlined in Section 5.4
  
- Mail to: Waterford Pointe Architectural Control Committee  
215 Amenity Way  
Seneca, SC 29672

**ALL SHORELINE WORK IS TO BE COMPLETED BY BARGE ONLY. NO TREES ARE TO BE REMOVED GREATER THAN 4" (4 inch) CALIPER.**

ACC Use Only:

**Plan Submitted:**

**Approved:**\_\_\_\_\_ **Conditionally Approved:**\_\_\_\_\_ **Disapproved:**\_\_\_\_\_

**Comments:**\_\_\_\_\_

**Waterford Pointe ACC:**\_\_\_\_\_ **Date:**\_\_\_\_\_

**Completed Site Inspection Date:** \_\_\_\_\_ **By:**\_\_\_\_\_

**SCHEDULE M  
WATERFORD POINTE  
SHORELINE STABILIZATION  
REQUEST FOR REVIEW**

Name: \_\_\_\_\_ Date: \_\_\_\_\_

Address: \_\_\_\_\_ Phone: \_\_\_\_\_ E Mail \_\_\_\_\_

Shoreline Stabilization Type:  
(Circle One)

Rip Rap

Rock (include type

Block

Masonry

Other: \_\_\_\_\_

Color(s): \_\_\_\_\_

Height above High Water Mark: \_\_\_\_\_

(Note: If height varies, note locations and approximate heights on site plan. Include elevations if necessary)

Additional Comments/Explanations: \_\_\_\_\_

Contractor Performing Work: \_\_\_\_\_ Phone #: \_\_\_\_\_

Lot Owner Signature: \_\_\_\_\_ Date: \_\_\_\_\_

- Attach Site Plan (Use Recorded Plat or PLOT Plan) at 40 Scale (1" = 40') Showing Precise Location of the Wall(s), Limits of Clearing, and Vehicular Access Points
- Include Check for Construction Escrow (see Schedule Q) & Completed Schedule B-1, as Outlined in Section 5.4
- Mail to: Waterford Pointe Architectural Control Committee  
215 Amenity Way  
Seneca, SC 29672

**ALL SHORELINE WORK IS TO BE COMPLETED BY BARGE ONLY. NO TREES ARE TO BE REMOVED GREATER THAN 4" (4 inch) CALIPER.**

ACC Use Only: \_\_\_\_\_ Onsite Inspection Date: \_\_\_\_\_

\_\_\_\_\_ Approved \_\_\_\_\_ Conditionally Approved \_\_\_\_\_ Disapproved

Comments: \_\_\_\_\_

Waterford Pointe ACC: \_\_\_\_\_ Date: \_\_\_\_\_

**SCHEDULE N  
WATERFORD POINTE  
REQUEST FOR MISCELLANEOUS PROJECT APPROVAL**

Lot Number: \_\_\_\_\_ Date: \_\_\_\_\_

Name: \_\_\_\_\_

Address: \_\_\_\_\_ Phone: \_\_\_\_\_ E-Mail: \_\_\_\_\_

Project Description: \_\_\_\_\_

Materials & Color(s): \_\_\_\_\_

Overall Dimensions: \_\_\_\_\_

Additional Comments/Explanations: \_\_\_\_\_

\_\_\_\_\_

Lot Owner Signature: \_\_\_\_\_ Date: \_\_\_\_\_

- ☐ Attach Site Plan (Use Recorded Plat or PLOT Plan) at 40 Scale (1" = 40') Showing Accurate Location(s), Limits of Clearing, and Equipment Access Points
- ☐ Attach drawing(s) in Plan View & Elevation
- ☐ Proposed Start \_\_\_\_\_ and Completion \_\_\_\_\_ Dates

- Mail to: Waterford Pointe Architectural Control Committee  
215 Amenity Way  
Seneca, SC 29672

ACC Use Only:

Approved: \_\_\_\_\_ Conditionally Approved: \_\_\_\_\_ Disapproved: \_\_\_\_\_

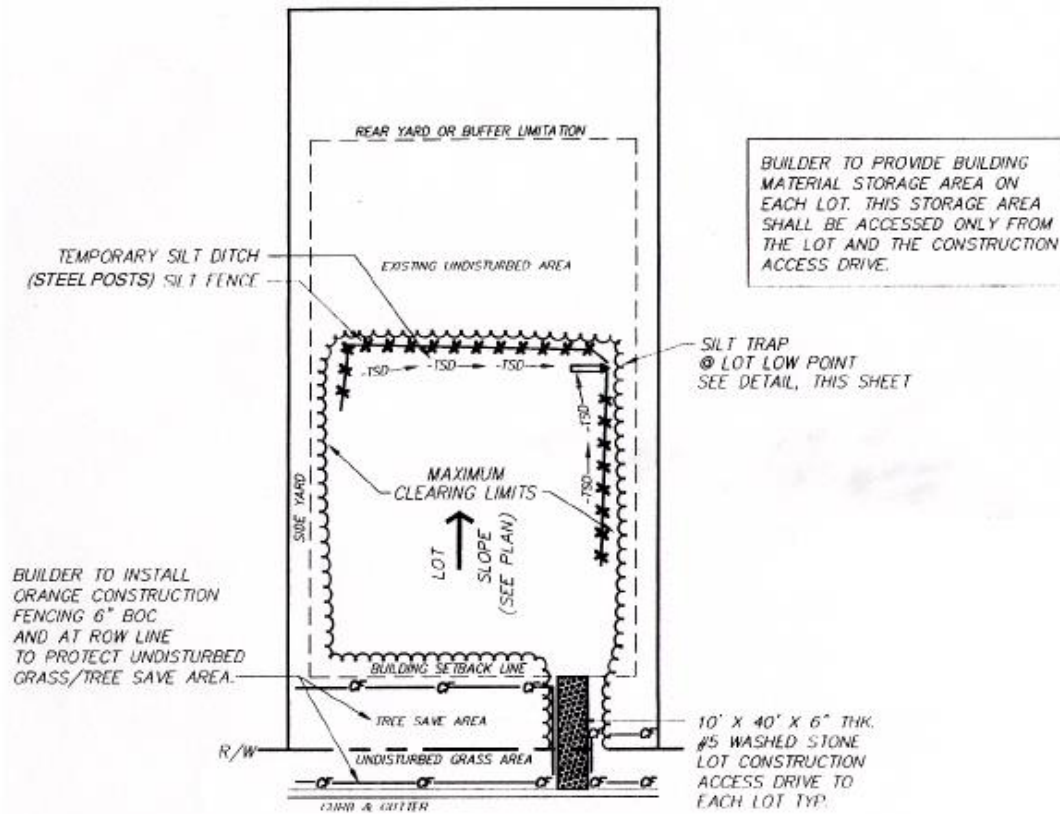
Fee: \$ \_\_\_\_\_

Escrow Deposit \$ \_\_\_\_\_

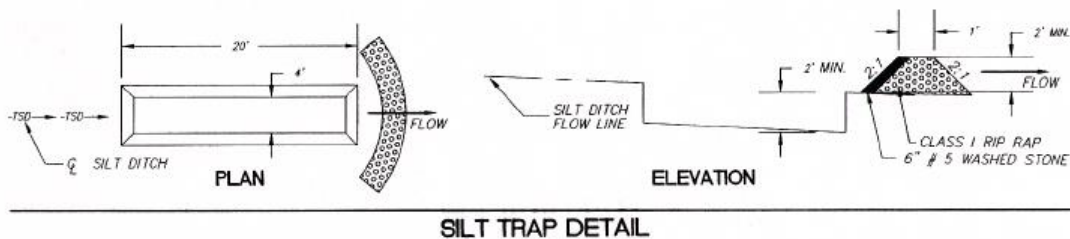
Comments: \_\_\_\_\_

Waterford Pointe ACC: \_\_\_\_\_ Date: \_\_\_\_\_

**SCHEDULE O  
WATERFORD POINTE  
GENERAL EROSION CONTROL NOTES**

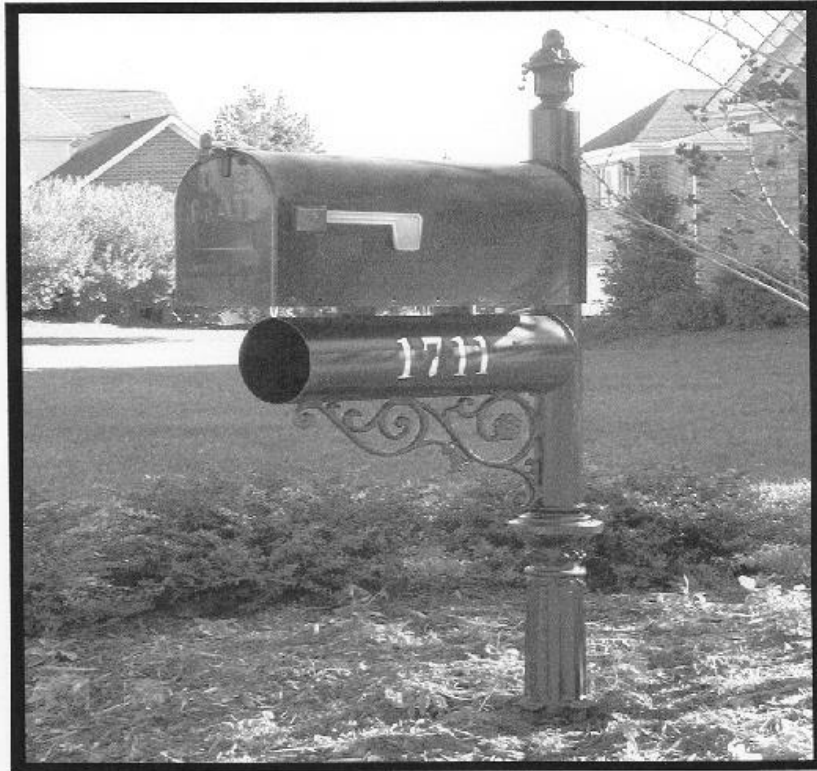


**TYPICAL LOT DEVELOPMENT EROSION CONTROL  
LOT SLOPING AWAY FROM STREET**



**SILT TRAP DETAIL**

SCHEDULE P  
WATERFORD POINTE  
MAILBOX



The Lexington

**SCHEDULE Q  
WATERFORD POINTE ESCROW DEPOSITS AND FEE SCHEDULE**

**REIMBURSABLE DEPOSITS: (Deposits must be paid by the owner and reimbursed only to the owner)**

House/Landscape Construction Escrow Deposit*	\$5000
Shoreline Stabilization, Pier and /or Dock Escrow Deposit	\$1000
Remodel Escrow Deposit**	\$1000
Pre/Post-Construction Projects**	\$ 500

**UNREIMBURSABLE PROCESSING FEES (used for plan review, construction, administration, and final inspections):**

ACC Design and Construction Review Fee (House and Landscape Plans*)	\$1000
ACC Supplemental Review Fee (when needed)	\$ 200
ACC Review of Remodeling Plans (Maximum)**	\$ 400
ACC Review of Shoreline Stabilization Plans***	\$ 100
ACC Review of Dock Plans***	\$ 100
ACC Review of Pier Plans***	\$ 100

\* To be submitted with Schedule B and B-1 as specified in the Application Procedures.

\*\* Review fees and construction escrow will not normally apply to small projects or changes, but either or both could be required after the ACC review or the project scope and project duration.

\*\*\* Shoreline, Dock, and Pier fees are separate only when each portion is done at different time frames. If all are done at the same time the total fee is \$100.

All Checks should be made payable to Waterford Pointe Owners Association or WPOA.

**Waterford Pointe  
For Sale Signs**  
By Owner and By Real Estate Companies

*Waterford*  
*Pointe*

**For Sale**

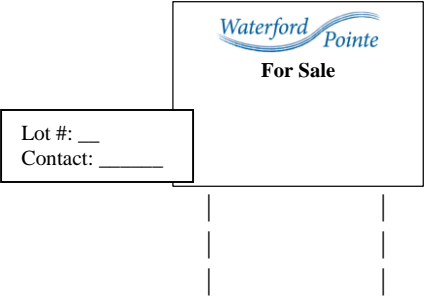
Real estate company and  
realtor information  
entered in this space

*Waterford*  
*Pointe*

**For Sale by Owner**

Owner Information  
entered in this space

**Placement of sign**



**MOWING EASEMENT**

**STREET**

Schedule S  
Waterford Pointe  
Application for Variance

Lot #: \_\_\_\_\_ Date: \_\_\_\_\_

Name(s) of Lot Owner(s): \_\_\_\_\_

Address: \_\_\_\_\_

Telephone at Work: \_\_\_\_\_ Home: \_\_\_\_\_

Email: \_\_\_\_\_

Builder: \_\_\_\_\_

Landscaper: \_\_\_\_\_

The owner(s) do hereby apply to the Architectural Control Committee (ACC) for a variance from (state specific rule and reference location in Waterford Pointe Covenants or ACC Guidelines):

\_\_\_\_\_

The desired variance is (be specific; attach either house plans or lot plat showing the effects of the variance if approved):

\_\_\_\_\_

\_\_\_\_\_

The reasons for the variance are: \_\_\_\_\_

\_\_\_\_\_

In applying for a variance, the owner(s) recognize that the project may be delayed or possibly halted until the ACC has an opportunity to review the variance request and acquire any needed information for judgment. The owner(s) are also aware of appeal procedures as stated in the Waterford Pointe Covenants and the ACC Guidelines.

Date: \_\_\_\_\_

Signature of Owner: \_\_\_\_\_

Signature of Owner: \_\_\_\_\_

### ACC Variance Request Review

A. Immediate neighbors were informed by the ACC of the variance application and allowed at least ten (10) days to provide comments. Yes \_\_\_\_; No \_\_\_\_\_. If No, provide reason: \_\_\_\_\_

B. Summary of responses from immediate neighbors (individual names are not required) including specifics if comments are not favorable for approval of request: \_\_\_\_\_

C. ACC Committee reviewed application for variance on (date): \_\_\_\_\_

D. ACC Committee Decision

Approval (signature by ACC Chair): \_\_\_\_\_ Date: \_\_\_\_\_

Approval with Conditions (signature by ACC Chair): \_\_\_\_\_ Date: \_\_\_\_\_

Conditions: \_\_\_\_\_

Disapproval (signature by ACC Chair): \_\_\_\_\_ Date: \_\_\_\_\_

E. Comments