



Architectural Review Committee

Welcome to your new home in Harborview, POA. At closing you received the Declarations of Protective Covenants, Restrictions, Easements, Charges and Liens (Declaration) for Harborview. These are your official and legal documents, which provide detailing and binding rules for the community. The Declaration may be referred to as the Master Deed.

The Compliance Guidelines add to the Declaration/Master Deed but does not supersede or replace it. Its purpose is to provide homeowners with a common-sense general overview of what you need to know about the governance and management of your community. If any conflict arises between the Guidelines and the official Declaration, the Declaration, amendments and resolutions passed by Harborview shall prevail.

#### Property Owner Association

By purchasing a home in Harborview, you have chosen to live in a Property Owners Association (POA) community. This means there are rules and procedures that you have agreed to follow. These are straight forward and serve to preserve the appearance and integrity of the community. These rules are designed to help you and the overall population of the community.

#### The Board of Directors

Your community is governed by a Board of Directors. Below is a partial list of the items the board has the authority;

1. To regulate the use, maintenance, repairs replacement and use of the common elements.
2. To enforce rules and regulations.
3. To develop an annual budget for the association.
4. To oversee HOA appointed committees.
5. To enforce all covenants and restrictions affecting homeowners including revocation of owner and resident rights and privileges to use our amenities.
6. To determine the amounts of fines for rules infractions and charges for late HOA payments and violations of the covenants and restrictions.
7. Hire an HOA property management company to assist in fulfilling certain HOA tasks. The management company oversees the maintenance of the common areas. If you notice anything is broken, missing, a streetlight is out or otherwise amiss, contacts the management company. Although they do inspect the property for these items and to ensure the regulations are being observed by the residents, they are not here 24/7 and may not notice a problem right away.

For more detailed information please refer to the official governing documents.

What are my responsibilities as a Homeowner?

By purchasing a home in a POA community you have agreed to the following;

1. Pay the association annual assessment and any special assessments which may become necessary.
2. Take care of your property and prevent the development of any unsightly, unkempt conditions to the exterior of your home or your property which may negatively impact the beauty of the community.
3. To make sure all parts of the Storm Water Management system are properly maintained; this includes the swales, storm water inlets, drainage easements, ponds or other water features.
4. Abide by the rules, regulations of the association; this includes your guests and lessees.
5. Follow the guidelines of the ARC.

What is the Architectural Review Committee (ARC)?

The Architectural Review Committee (ARC) is appointed by the Board of Directors. The ARC reviews applications and additional information submitted for all new improvements and alterations to existing improvements at Harborview.

Homeowners can make improvements to their homes and yards, with respect to any applicable easements and setbacks, to enhance the usefulness and pleasure of their property. It is the goal of the ARC to ensure all improvements are considered to be harmonious to the appearance of the community. The ARC helps the community insure that the current beauty remains and to insure the changes you make to your home's exterior or property are consistent with the developer's original conception and should reflect the natural and man-made features of the land. The ARC is directed by specific criteria contained within our Declaration and developer design guidelines.

The ARC has the following objectives;

1. To ensure that natural water flows and land forms are not disrupted or impeded by excessive grading, clearing or removal of vegetation or other modifications.
2. To locate structures and plantings so they are visually harmonious with the terrain and do not block scenic views.
3. To insure the architectural design of a structure and the materials and colors used are harmonious with the overall appearance of the community and the natural landscape.

**However, prior to most modifications, homeowners are required to obtain approval from the Architectural Review Committee (ARC) for Harborview Property Owners' Association. If necessary, a permit from Myrtle Beach Building Department and or Horry County may be required. It is the homeowner's responsibility to verify all building regulations regarding your project, and approval from the ARC does not imply or take the place of the approval and permitting process with the requirements of the City of Myrtle Beach and or Horry County.**

**Unless otherwise noted, plans for any exterior alterations to existing improvements must be submitted to the ARC for approval prior to commencement of construction. Unless otherwise noted, applications must be submitted with a survey showing the footprint of the home and property lines to scale, in relation to the proposed modification(s). Proposed modification(s) must be sketched on the survey. ALL PRIOR IMPROVEMENTS must be included on the survey (added sunroom, patio, other landscape beds, swing set, gazebo, etc.). Samples indicating color selection, style and product type must be included. It is acceptable for this information to be from websites or brochures. The ARC has 30 days to respond to the homeowner request after ALL required documentation/information has been received.**

**\*\*\*ALL PUBLIC EASEMENTS AND SETBACKS MUST BE OBSERVED\*\*\***

**\*\*\*\*IMPEDING THE VIEW OF THE POND IS NOT ALLOWED. \*\*\*\***

### **DESIGN REVIEW GUIDELINES**

Below is a partial list of what does and does not need approval. This is not inclusive of all items. If in doubt, it is your responsibility to submit an ARC application for any changes, improvements, additions and/or deletions to your property. Unless otherwise noted, you must include with your application: a copy of your survey with the proposed improvements sketched on the survey; descriptions and samples and/or photos of the items; applicable scopes of work. If other improvements have been added to your home and lot please include these items sketched on the survey as well.

**\*\*\*All approved modifications MUST be completed from the commencement of construction within eight (8) months. \*\*\***

#### **Arbors/Gazebos/Pergolas**

Requires approval. Arbors may be permitted on rear patios and shall not extend beyond the side walls of the main structure. Must be constructed of wood, vinyl, or aluminum materials. Color can be white or match the trim of the house or color of the house. If shingles are used they must match the house in color and type.

#### **Attic Fans**

Requires approval.

#### **Awning**

**Does not require approval** as long as the following guidelines are met. Must be neutral in color to compliment color scheme. Must be retracted when not in use.

#### **Basketball Hoops and Stands**

**Does not require approval**, as long as the following guidelines are met. Only portable basketball hoops are permitted in driveways and backyards and can only be erected on a temporary basis when in use and cannot be left out overnight. Not permitted in streets. Backboards may not be attached to outbuildings, garages or homes or on poles/posts.

#### **Bulkhead / Dock / Pier**

Not allowed per the CC&R (Article, VI, Section 37).

#### **Driveways**

Requires approval. Driveways extensions must match the original installation and requires ARC approval. Driveway extensions will be considered on a case-by-case basis depending on the size of the yard and size of the extension.

**No ARC approval required** to top coat driveway in a clear color.

#### **Enclosures: Trashcan and Mechanical Equipment**

Trashcans and mechanical equipment are not permitted in the front of the home and may be placed on the side if enclosed with plant material or fencing.

Plant enclosures do not require ARC approval if plants are evergreens and must be of mature height when planted to conceal trashcan. The height cannot be taller than 6 feet and may extend from house up to 4 feet in width and 6 feet in length. It must start, as a minimum, 3 feet behind the front corner of house.

All fencing enclosures must obtain ARC approval prior to installation with the following guidelines: The fencing enclosure can be incorporated to include the HVAC and the electrical box location. Only L-shaped enclosures are permitted using material made of solid panel vinyl privacy fencing. Color must match trim color. The height cannot be taller than 6 feet and may extend from house up to 4 feet in width and 6 feet in length. It must start, as a minimum, 3 feet behind the front corner of house.

**Exterior Air Conditioners**

Window units are not allowed.

**Exterior Buildings and Structures**

All exterior buildings and structures (including doghouses and all types of animal housing) must obtain ARC approval prior to the installation. No temporary storage units except animal housing are permitted. Exterior Sheds or storage buildings shall have floor dimensions no larger than eight (8') feet by ten (10') feet and shall be no higher than nine (9') feet overall. The exterior finish of any such storage building must conform to and match the exterior finish of the main dwelling house.

**Exterior Colors**

**Does not require approval if** repainting does not change the home's original colors.

Any change in the exterior veneer material type or color **REQUIRES APPROVAL**. Survey is not required with approval request.

**Exterior Decorations**

Holiday decorations may be placed outside the home two weeks before the event and removed one week after the event.

Christmas decoration(s) and lighting may be placed outside during the Thanksgiving Holiday and removed by January 15<sup>th</sup> the following year.

**Exterior Lighting**

Subtle landscape lighting fixtures in a garden bed **do not require ARC approval**. The number of fixtures in the front/side of the house cannot exceed ten (10) and the number of fixtures in the back of the house cannot exceed ten (10). The color of the fixtures must be black, brown, or bronze tones.

Any additional quantity of landscape lighting fixtures or alternate colors requires ARC approval. Colored landscape lighting and colored bulbs are not allowed except for holiday decorations.

All other lighting additions and/or modifications require approval. Lighting may not be installed as to illuminate any portion of an adjoining lot or to shine into any window in another house. The amount of light produced should not be so excessive as to create a distraction or have a negative impact on the neighborhood. Lighting may be approved for safety on walkways.

NO lighting to be attached electrically via an extension cord (exception is for temporary holiday lights).

EXCEPTION- bug lights.

**Fences**

All fences must obtain ARC approval prior to the installation. See CC&R's for additional information and criteria (Article VII, Section 4 & Article XIV, Section 5). Before fence is installed Horry County needs to be contacted for permitting requirements. Fences must be of an open picket style using black aluminum material, hardie plank and, or brick with a height of not more than 48" above grade; however, fences directly adjacent and to the side of builder-installed patios, which shall extend not deeper than the edges of such patio, shall be not more than six (6') feet tall and shall be constructed of hardie plank and/or brick material and may be as a closed privacy design. All fencing shall not be forward of the rear corners of the house. Fences must be off the rear and side property lines by a minimum of 1 foot **or** the distance necessary to maintain the area outside of the fence whichever is greater EXCEPT if the lot has a "Private Easement". Lots with "Private Easements" may install a fence which must be a minimum of 5 feet inside the property line so as not to be installed in the swale or impede the drainage of the lot, neighboring lots or community. All other easements and setbacks must be observed.

### **Flags**

Freestanding flag poles are not permitted. Flag poles that attach to the house, usually in the exterior garage area, **do not require ARC approval** but no more than 2 flag poles are allowed. These poles cannot be over 6' long and the flags flown is no greater than 4' by 6' in dimension.

- Garden flags (small flags) that are inserted in the ground do not require approval. However, no more than 2 garden flags can be installed in the front yard.

### **Garage**

No garage shall be utilized for other than the purpose of parking and storage of vehicles and other types of items normally stored in garages in residential neighborhoods. No garage shall be converted into or used for living space without prior ARC Approval.

### **Gardens**

**All vegetable or fruit gardens do not require approval, as long as the following guidelines are met.** All vegetable or fruit gardens may not be larger than 8' by 10' in size and must be located in the rear yard and must not impede drainage of any lot. Cannot be located in an easement. Cannot be more forward than the rear corners of the home. Area must be maintained.

### **Gutters and Downspouts**

**Approval not required** if the gutters and downspouts match the color of the exterior trim of the house. The downspouts cannot alter the flow of the water in an adverse way to the adjoining property.

### **Hot Tubs, Spas, Pools and Fountains and Water Features**

Requires approval. Hot tubs, spas and pools must be in the rear of the yard. Must be permitted and follow any county, city and state regulations. Above ground pools are not permitted. All pumps and pool equipment must be screened from view.

### **Hurricane Panels/Shutters**

**Does not require approval as long as** the following guidelines are met. Hurricane Panels/Shutters cannot be installed more than 7 days prior to a named storm predicted to hit the Harborview area, and must be removed within 7 days of a named storm passing the Harborview area. Bahama Shutters **do not require approval as long as they match the** trim, front door, or any existing shutters in color. **ALL SHUTTERS MUST BE MAINTAINED**

### **Irrigation Systems and Wells**

**Does NOT require approval** for the irrigation system if the dispersed water falls on the owner's property and not on the adjoining property and if the water is not drawn from creeks, streams, lakes, ponds, wetlands, canals or other bodies of water on or adjoining the property. Irrigation Wells are not permitted. Water must be used from the public utility water company.

### **Landscaping**

**ARC approval is not required** for the following:

1. Replacing existing mulch and/or pine needles with similar materials which are black, brown, or natural cypress in color.
2. River rock that is less than 4 inches in diameter in tan and/or brown tones may be used.
3. Plant bed edging material consisting of continuous cement edging (landscape curbs), stacked stone, or landscape pavers in gray, black, brown, tan, beige, or terra-cotta tones. Other edging is acceptable provided it does not exceed two (2) inches above the grass surface and is a gray, black, brown, tan, beige, terra-cotta, or green tone.
4. Replacing existing shrubs, trees, or bushes with non-invasive species.

All plantings should be three (3) feet from the adjoining property line or the distance needed to prevent the plant(s) from impeding the adjacent property when fully matured. Plant(s) must be maintained to keep from impeding adjacent property. ***All utility and drainage and maintenance easements must be observed.***

Any exceptions to the items above or additional landscaping items requires ARC approval. **All new landscaping beds must be applied for.**

**Patio/Screen/Vinyl Enclosure**

Requires approval.

**Patios/Walkways/Porches/Decks**

Requires approval. Colors must coordinate with the existing materials and colors of the home. Color and material selection samples (via brochure or website) must be provided.

**No ARC approval required** to stain/paint the concrete of any porch or stoop a color to match or compliment the trim of the house or color of the house.

**Propane/Fuel Tanks**

Requires approval. Large underground tanks are permitted at a maximum capacity of 150 gallons and must be buried in compliance with applicable law.

**Recreational Equipment/Swing Sets/Jungle Gyms**

Requires approval. All recreational equipment must be approved by the ARC prior to the installation. The equipment must be compatible in size and design with the lot size. The design and any individual screening are additional considerations in evaluation of the application. Also, additional existing structures and location of the rear yard are factors to be considered in the review. Must be maintained and kept in good condition.

Neutral and natural colors are advised.

**Roof, Door and Window Replacement**

**Approval not required if** original type, material and color as the originally installed item. Any exceptions must have ARC approval. Survey is not required with approval request.

Door windows may be changed **without approval as long as** they are the same size and clear or solid frosted or plain, without color. Stained glass style is allowed without colored glass. Any colored glass or etched design/pattern requires ARC approval. Survey is not required with approval request.

**Satellite Dish**

**Does not require approval,** as long as the following guidelines are met. A satellite dish may not be installed on the front or side of the lot or home. The dish may only be installed in the rear of the home or lot. If installed on the roof it must be below the ridge or peak of the roof. Screening is encouraged. Satellite dishes are not permitted to be installed on fences.

**Screen / Storm Doors**

**Does not require approval,** as long as the following guidelines are met. All storm doors must match trim of house or the color of the entry door. Survey is not required with approval request.

**Skylights/Solar Tubes/Solar Panels/Screens**

Must have ARC approval.

**Signs**

**Approval not required.**

Only the following signs are permitted:

1. "For Sale", "For Lease" and "For Rent" signs must be on approved ARC template for the community. The signs must be installed on a wooden or metal post. Please contact the management company for ordering information.
2. Political signs may be placed in front yard no more than 30 days prior to the election and must be removed within 7 days after the election. The sign cannot exceed 2' x 3' in size.

**Utilities**

All additional utilities must obtain ARC approval prior to installation. All utilities must be underground which includes, but is not limited, to propane tanks.

**Yard Art/Sculpture/Statuary/Birdhouses, etc**

The following Yard Art such as bird baths, sculptures, pottery, fountains and metal work **does not require approval** as long as the following guidelines are met:

1. One item of a maximum height of 42" may be placed in the front and rear yard of the property. Street sides of corner lots are treated as front yard.
2. A maximum of three individual items may be in a planting bed per any one side of the house and no larger than 12"x12x"12" in size (not to exceed 12 per lot).
3. Bird houses, birdbaths and bird feeders permitted in rear yard.
4. No birdhouse or feeder may be more than 6' off the ground.
5. Planting pots are permitted on front porch entry. Pot and plantings must be maintained.
6. A maximum of two (2) planting pots are permitted in front landscape bed. Pot and plantings must be maintained.
7. A small number of hanging baskets are permitted on front porch. Baskets and plantings must be maintained.
8. Two (2) trellises, dark in color with a maximum height of 6' x 4' wide allowed in front yard. Maximum of five (5) of matching design in side yard.
9. Window boxes and plantings must be maintained.

Any additional items or exceptions to the items above requires ARC approval.