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I. PREFACE

A. PURPOSE OF DESIGN GUIDELINES

The objectives of these Design Guidelines are to create a comprehensive set of standards, which will allow for the orderly and cohesive development of Mossy Creek. These guidelines are to be used by a property owner, builder or developer as a tool to build a community that is consistent with the stated goals. These guidelines will help insure the community will mature into one which provides for a higher quality of living as well as one in which property values are protected.

The Guidelines establish criteria for architectural design, site improvements, and landscaping. They establish the process for review of proposed construction and modification of existing structures. The intent is to allow the owner maximum flexibility in expressing individual taste within the framework of community standards.

B. ARCHITECTURAL REVIEW BOARD

The Architectural Review Board (ARB) has been established to administer the Design Guidelines. The Board of Architectural Review is charged to ensure compliance with the design and review processes described below, and to ensure that all construction is completed according to the approved plans.

The ARB and The Mossey Creek Homeowner’s Association is not responsible for any misrepresentations or conflicts with governmental municipal regulations. Consult the ’Code of Ordinances of the city of Hanahan for any and all other requirements relating to zoning issues. Review the Declaration of Covenants, Conditions, and Restrictions. All information contained herein is subject to change without notice and should be verified prior to application.

No action taken by the HOA or the ARB, or any of its members, employees or agents, shall entitle any person to rely thereon with respect to conformity with the laws, regulations, codes or ordinances, or with respect to the physical or other condition of any building, structure or other portion of the property.” Neither the HOA, it’s Board of Directors, The ARB, nor any member, employee, or agent thereof shall be liable to anyone submitting plans to them for approval or to any owner of any other person, for damage, injury or defect (Whether structural -or otherwise) associated with plans considered by the ARB. Every person or other entity submitting plans to the ARB agrees by submission of such plans, to defend, identify, and hold harmless the HOA, the Board of Directors and the ARB (or any member, employee or agent thereof) from any action, proceeding, suit, damage, injury, or claim arising out of, or in connection with, such submission.
II. BUILDING AND SITE GUIDELINES

A. Building Design Guidelines

Creative and sensitive architectural solutions are encouraged to complement each site, to express the design concept of individual property owners and to contribute to the community as a whole. Excessively similar homes along the same street or in the vicinity are strongly discouraged. No two houses of the same type of construction or same elevation shall be constructed on the same street. In reviewing each submission the ARB may consider Quality, Workmanship, Design, Harmony of external design with existing homes. The property owner and architect must consider integration of each site and house design. The sum of the site and house will help to shape the image and character of the neighborhood.

The predominant style selected for Mossy Creek neighborhood is Traditional Lowcountry. This style exhibits certain characteristics and features that respond to building shape, function and site. The richness, simplicity and rationality of this style serves as the major source for the design of Mossy Creek residences.

Material board of all items including but not limited to: exterior color swatch, roof material and color, color and type of windows, color of front door, and review of all materials being used must be submitted at initial review.

At any given time, any given builder can only be constructing a maximum of two homes concurrently. Additional home(s) can be started after completion of first two homes pending complete ARB approval.

No raised slabs, or slab on grade homes will be considered.

1. Setbacks

   Front: Refer to plat drawing for the site-specific setback requirements

   Side: Refer to plat drawing for the site-specific setback requirements
       Typical side yard setback measured to the overhang,
       2 foot side yard setback for driveways.

   Rear: Refer to plat drawing for site-specific setback requirement

2. Vertical Massing

   Maximum building Ht: 40 feet and 2 1/2 stories from existing grade. Vertical massing shall be carefully resolved, again looking at historical reference.

   Minimum Required Finished Floor Elevation: Finished floor elevation must meet code with a minimum of 36 inches of exposed foundation required.
3. Setting

Integration of grounds, drives, parking and gardens is essential. House, courtyards, and porches should create a unified design solution.

4. Detailing

Detailing of structures at Mossy Creek must give proper consideration to the architectural style being used, the construction technology available, and the environment of the Hanahan area. The environmental considerations would include the hot summer sun, heavy seasonal rains, high humidity and salt content on the air, prevailing seasonal breezes, sold winter winds off open areas, soil characteristics and the occasional tropical storm or hurricane. Exterior trim, columns, shutters, railings, and other architectural details can add interest; scale and dimension to a home and are encouraged provided they are compatible with the architectural style of the home.

5. Building Size Requirements

Minimum heated square footage is calculated as the total of all interior areas within the roof line of the building, exclusive of open porches, terraces and similar areas.

Max. Bldg. Coverage: 35% under roof. Open decks are not considered in the lot coverage, but they must meet all setback requirements, All OCRM requirements must also be met.

Minimum Sq. Footage: 2100 Minimum square feet on all lots. The ARB reserves the right to approve less square footage for residences with large areas of covered porches. Massing should be sealed to the site, again recognizing the surroundings.

6. Exterior Elevations

Materials used and construction techniques employed shall be primarily those that are typical to the Hanahan area. Low maintenance materials are encouraged. Roof colors and textures and exterior wall materials should be compatible with the setting and reflective of Lowcountry traditions. The ARB shall determine the appropriateness of exterior materials and colors for all construction. Brick, Cementitious Stucco, Cedar Shakes, Horizontal Wood Siding/Cement board are approved materials. Aluminum siding, vinyl siding, plywood, concrete block, split face block, tin, white brick and metal are prohibited.

7. Windows

Long black facades without fenestration should be avoided. Vinyl windows are acceptable. Removable grilles are prohibited. Other materials may be considered by the ARB on a case-by-case basis. Different types or styles of Windows in the same facade are strongly discouraged. Glazing shall be clear or gray tinted only reflective glass is prohibited.
Molding around windows should not be vinyl or wood but cement board is acceptable.

Shutters should be traditional in design and material and keeping with the architectural style of the home.

8. **Exterior Colors**

A color sample must be submitted for approval at final review. This sample must be painted on at least one linear foot of the siding material. Variety in color schemes on the same street is encouraged.

9. **Roof, Gutters and Downspouts**

Pitched roofs and generous overhangs are recommended. Roof material may be cedar shakes; dimensional architectural grade asphalt shingles (25 year or better), slate, standing seam metal or 5V crimp heavy metal. A minimum roof pitch of 6/12 is required (lower slopes are allowed over porches). Roof colors: that are compatible with the elevations and surroundings should be used. Mansard roofs are prohibited. Shed roofs are to be used only a dormer.

Roof vents and accessories should be located on the part of the roof unseen from the right-of-way, and must be painted to match the roof color.

Gutters are mandatory and shall match the fascia trim color or they shall be copper. Downspouts shall match the exterior Wall trim or be copper. Flue pipes shall be cased in a chimney enclosure that matches exterior materials.

Skylight and solar panels should not be visible from the street. Skylights shall be low profile and similar in color to the roof. Dome skylights are not permitted.

Galvanized on chimneys shall not be exposed and shall be covered with decorative cap or screens.

10. **Balconies**

Balconies, cantilevered or supported with columns are encouraged on high-profile houses to promote outdoor living, to capitalize on views and vistas, and to assist in scale and massing. The size and location of balconies shall be dependent upon lot setbacks established by the Code of Ordinances of the City of Hanahan.

11. **Porches**

The use of porches is preferred and will be reviewed on a case-by-case basis. The size and location of the porches shall be dependent upon lot setbacks established by the Code of Ordinances of the City of Hanahan.

Deep porches that allow living spaces are encouraged — minimum depth of the front porch shall be 8 feet. Wood columns for screened porches shall be a minimum size of 6”
x 6”. Base and capital detailing is encouraged.

12. Patios, Terraces and Decks
Outdoor, uncovered living areas should be constructed with materials and colors that are compatible with the exterior materials and detailing of the house. Railings should be consistent with the architectural character of the house. Patio and terrace surfacing materials should be concrete, stone or pavers.

13. Entry
The primary front entrance should be located at the front of the house and emphasized with a sense of prominence that distinguishes it from the other elevations. The entry should have prominent single or double doors and detailing that is consistent with the house style. Patterned Lead glass is discouraged. Multi-story entry features are prohibited.

14. Lighting
Lighting sources shall not be directly seen. Illumination of surfaces such as walls, walks and decks is permissible. Porch lighting, for example, may include wall washers and recessed fixtures that illuminate the entry surface, but the source of lighting should not be in view.

Motion activated spotlights are appropriate when used for security and safety. Spotlights or floodlights shall only be allowed in the rear yard and not spill light onto adjacent properties. Motion activated lights should provide on the minimum amount of time required to enter a home safely before turning off— 5 minutes maximum.

Wall mounted accent lighting located adjacent to the front door is encouraged. Cut sheet of all exterior lighting fixtures shall be submitted at final review.

15. Garage
The garage shall not be a prominent design feature in the design of the home. Garages are prohibited to be front loading/street facing. Garage doors shall be consistent with the architectural style of the home. Maximum width of a garage door shall be 12 feet. One garage door for more than one parking bay is prohibited.

16. Additional Special Requirements
- The open storage of boats, trailers, campers, RVs and other vehicular type equipment is prohibited in Mossy Creek.
- All buildings must be built on site. No exterior structure of any kind or any artificial vegetation shall be constructed, erected or placed on the outside portion of a residence, whether the portion is improved or unimproved, except in the strict compliance with Covenants, Conditions, and Restrictions.
- No sculpture, fountains or similar items shall be constructed placed or maintained on any lot without prior Written approval from the ARB.
- Size and placement of all Satellite dishes must be approved by the ARB.
- TV antennas must be placed in the attic and are not permitted on the roof.
• No above ground tanks will be permitted.
• Basketball hoops and portable play equipment shall not be allowed in the front yard setback.
• Outdoor play equipment shall be placed so not to obstruct views of adjacent property and must be properly screened with appropriate landscape material.

• Individual freestanding flagpoles are prohibited. A facade is preferred. Proper flag etiquette should be flagpole mounted to the porch observed at all times.

• Accessory buildings are allowed (e.g. detached garage, storage shed, Workshop, etc.) and are subject to ARB approval.

B. Site Design Guidelines

1. Clearing and Grading
   Site grading of a specific lot shall be kept to a minimum and alterations to existing drainage systems shall be avoided. Owners and builders may not trim or remove any tree prior to final approval of plans by ARB. Any necessary grading shall maintain a natural appearance.

2. Utilities
   All utility services at Mossy Creek shall be placed underground. Preferably A/C units to be placed in the back of the residence - all utilities including but not limited to: A/C, exterior hot water heaters, gas heaters, transformers, junction boxes, electric meters must be screened with lattice or equal material. Painting utilities to match exterior foundation walls also required if needed. Exterior television and radio antennas are not permitted. Satellite dishes, solar collectors or other utility structures must be permitted by the ARB on an individual basis and in all permitted cases must be screened from view.

3. Driveway
   Driveway materials may consist of concrete, stamped concrete, tinted concrete in earth tone colors, exposed aggregate concrete, oyster shell minimum thickness of 4 inches. The use of welded Wire mesh is recommended. Asphalt drives are not permitted. Driveways may not be painted with a colored topping.

4. Sidewalks
   Sidewalks are required from the front door of the house to the driveway with a minimum Width of 3 feet. Materials may be the same as identified for terraces and patios. Concrete walkways are to be constructed of 3000 psi with a light broom finish. Control joints are to be spaced at intervals of five feet maximum and expansion joints at intervals of 30 feet maximum.

5. Fences
The maximum height for any fence is 6 feet. Only back yard perimeter fencing is permitted. Fencing should not block desirable views and vistas or negatively impact adjacent lots.

**AS OF FEBRUARY 2012**

All fences must have Architectural Review Committee (ARC) written approval in the form of an approved Mossy Creek ARC Request Form*. Please contact Community Management Group (CMG) at 843-795-8484 or at www.cmgharleston.com to obtain an ARC Request Form. In addition to the Request Form, a site plan (please use the final survey from your closing package) denoting the location of the proposed fence together with information as to existing fences erected on adjacent properties must be provided. You may mail your completed ARC Request Form, site plan and ARC review fee to CMG at 349 Folly Road, Suite 2B, Charleston, SC 29412.

- Fences are to be constructed of cedar, redwood or pressure treated pine. No vinyl, wrought iron or chain-link fences are allowed.
- 6’ Fences are to remain “natural” and may not be painted. 4’ Fences may be painted white. Clear coats or sealants are allowed and encouraged.
- Fences are to be a standard height of 6 ft and are to follow “the lay of the land.”
- Fences on property lines abutting corners, HOA ponds, marsh, (and possibly where a 6-ft fence would result in sight visibility issues as determined by the ARB) are to be 4 ft high and are to follow “the lay of the land.”
- All 6 ft tall fences are to be shadow box privacy style (see attached detail).
- All 4 ft tall fences are to be a traditional picket style: 2-4 in. wide picket with 2-4 in. space between the pickets (see attached detail).
- The crossbeam structure and vertical supports must not be visible from any street or adjacent properties (must face inside toward yard making the outside face the finished side).
- Gates must be constructed with material that matches fencing material. Appropriate hardware for gates must be used and maintained in like-new condition.
- Picket fences may have a negative scallop and said scallop shall not be lower than 1 ft below the top of the fence. Privacy fences (6 ft tall fences) may not be scalloped.
- Fences are not allowed to be installed within 5 ft of a property line located in an “Ingress/Egress Easement” and any fence abutting an “Ingress/Egress Easement” must be a 4 ft picket fence. This is to ensure that all can get to the HOA ponds.
- Fences may not impede the natural flow of water runoff. A fence may not obstruct a drainage ditch, catch basin, drainage swale, storm sewer or storm drain. If Berkeley County, the Home Owner’s Association (HOA) or any other applicable municipality or entity is required to access a homeowner’s fenced-in easement, the fence will be removed at the expense of the homeowner and the County/HOA/municipality will not be responsible for re-installing the fence.
- Other than as listed above in Item 10 and the possible special exception listed in Item 4, fences are to be installed “right on” the property line; no side yard gaps and no setting the fence inside the property line.
- Other than the possible exception listed above in Item 4, fences are to extend from the rear property line to the back corner of the side of the house.
- Fences in front yards are prohibited.
- Other than as listed above in Item 10 and the possible special exception listed in Item 4, if a lot adjacent to the applicant’s lot already has a fence in place, the applicant’s fence is
required to “butt-up” to the existing fence. It is the applicant’s responsibility to ensure that the existing fence is installed “right on” the property line.

* In accordance with Article 9 of the recorded Declaration of Covenants, Conditions, Restrictions and Easements for Mossey Creek, the ARC reserves the right to approve or deny any ARC request “…

May refuse approval of plans, location, exterior color or finish or specifications for any reason, including purely aesthetic reasons.” In addition, approval for use in connection with any Lot of any plans and specifications shall not be deemed a waiver of the Architectural Control Committee’s right, in its discretion, to disapprove similar plans and specifications or any of the features or elements included therein if such plans, specifications, features or elements are subsequently submitted for use in connection with any other Lot.

The following fence details have been reused with permission from the American Fence Association [www.americanfenceassociation.com](http://www.americanfenceassociation.com).
Color of fences must be approved by the ARB. Landscaping around fences that are visible from the street is required. Fences should be compatible with the architectural
style of the house and should be used primarily for screening and defining outdoor space. Fencing - and landscape materials are required to screen HVAC equipment and trash receptacles. Materials must be approved by the ARB. Pet pens, dog runs, etc. must be screened from adjacent rights-of-ways and lots.

6. **Mailboxes**
   All neighborhood mailboxes will be uniform as determined by the Property Owners Association. Mailbox specifications are as follows:

   As of 2/15/12, if you plan on installing, replacing, or repairing your mailbox, mounting post, or house identification numbers, these items must meet the specifications of the Mossy Creek HOA as well as those of the USPS. Please note this does not affect those mailboxes already installed until they need to be replaced in the future.

   The following components (available at Home Depot retail stores *) meet these specifications when installed according to the diagram below:

   **Mailbox Post:**
   Pine Mailbox Post, Chipmunk Creations, Inc., Home Depot Model # 001 Store SKU # 560339

   **Finial:**
   Verona 4 in. x 4 in. Pressure-Treated Pine Copper-Top Pyramid Post Cap - Model # 0641453 -Store SKU # 616197

   **Mailbox Mounting Board:**
   Mailbox Mounting Board, Solar Group, Home Depot # 697-151

   **Mailbox:**
   #ALM110B0 (black), Solar Group/SO. Gemini, Home Depot #307-622

   **House Identification Numbers:**
   4” Plastic Reflective, Nail On, Cole brand, two sets, one for each side of post.

   **Paint Color:**
   Posts are to be painted “Charleston Green” - 1A2118 –Hex or 26,33,24 – RGB

   **Mailbox and Post Installation**
   House identification numbers must be firmly attached (not swinging) as shown on both sides of the post and must not be obscured by vegetation or other material. The mailbox is to be installed on the side of the driveway closest to the house.

7. **Pools**
   The ARB will review all pool designs on an individual basis. Please see specific guidelines:

   - Children’s pools no more than 12 inches high and 6 feet in diameter may be used in an owner’s backyard as long as they are stored out of sight when not in use.

   - Larger Portable pools may be used in a fenced in backyard, with approval from the ARB.

   * There will be no fee for the resident or tenant to ask for this
· The ARB may place a timeframe that the pool may be up

· If a resident/tenant does not take proper care of the pool or its water, the ARB may rescind permission for use within Mossy Creek

· Permission must be granted each calendar year

8. **Site Lighting**
   All proposed site lighting should be detailed on the Landscape Plans; exterior lighting including security lighting will not be permitted when it would create a nuisance to the adjoining property owner. Colored lights are prohibited. Low - voltage and 120 volt or additions to - site lighting after home is occupied must be submitted to the ARB prior to installation

9. **Construction Signs**
   Signage is limited to temporary builder’s "signs. These signs will be standardized design to harmonize with the community. The size and format of the sign is to be provided by the ARB. All signage must be approved by the ARB. The ARB reserves the right to remove any signs, which are not in compliance with the sign specification.

10. **For Sale Signs**
   All signs must conform to the standard of the Mossy Creek signage and are to be in good condition. See description below:
   - 24 inches long 32 inches wide
   - The top section is 8 inches
   - Middle is 12 inches
   - Bottom is four inches

11. **Irrigation**
   Irrigation systems are **required for all new construction**. They are important for maintaining lawn and landscaped areas, and promoting a healthy, green appearance throughout the neighborhood. Irrigation systems should be zoned according available water pressure. Irrigation "heads should be designed to direct water away from houses, Walls, fences, sidewalks, driveways and public/private roads.

12. **Drainage**
   Run-off water one properly shall not create adverse conditions on adjacent property. Storm Water should be directed to natural areas within the property lines or existing wetland areas.

13. **Plantings**
   Landscape design should be compatible with the architecture and utilize plant material that is hardy in this area. Bedlines should use strong forms with either straight lines, bold sweeping
curves or a combination thereof. Bedlines should avoid acute angles at intersections with structures or paving that would create maintenance problems. Foundation planting areas should be in scale with the height and massing of the structure.
Plant material may be used to solve functional considerations such as erosion control or screening and aesthetically such as framing views and providing color and texture. A

Trees in lawn areas shall have mulch rings of 5’0” diameter, minimum. All lots shall have one canopy tree (minimum) in the front yard. All shrub and groundcover areas shall have a minimum of 2” of mulch. Mulch may be pine straw or shredded hardwood. Rubber mulch and rocks are prohibited unless approved by the ARB on an individual basis.

All lawn areas: front, side and back yard shall be sodded, and hydro seeding must be approved by the ARB.

Plantings should sufficiently screen all utility areas, break up the foundation of the building, buffer driveways and parking areas adjacent to property lines, and provide cover for areas disturbed during construction. Plants for screening should be appropriate and of sufficient size and spacing to ensure adequate buffer. Foundation planting should also be in scale with the height and massing of the structure. Foundation plantings should include evergreens. Minimum size for foundation plantings is (7) seven gallons or larger depending on the height and massing of the structure. Utility areas for gardening should be screened or incorporated into garden areas as not to be unsightly. Artificial vegetation is prohibited.

**After Occupancy**: Changes may be made to landscape to replace dead plantings and to add plantings up to $1500 amount. Any changes over $1500 must be approved by the ARB. If an owner wishes to change the exterior color it must be submitted and approved by the ARB.
III. THE REVIEW PROCESS

To meet the development objectives of Mossy Creek, the owners and designers must follow a comprehensive design process. The Architectural Review Board (ARB) will review only designs completed by a registered architect or designer. The ARB uses the guidelines to review all exterior elements of the project including landscaping and lighting that affect the appearance of the residence and its site. The review process is not necessary for any interior alterations of a residence. The ARB chairman may review minor changes.

The Mossey Creek Architectural Review Board (ARB) must review all plans for new residential construction, additions, alterations and renovations to existing houses and lots. The review process for new construction involves a site review/design orientation, a Conceptual Design Review, a Preliminary Design Review and a Final Review. All steps of the process are mandatory. It is important that each submission have the required fee, forms and drawings. Required forms for each submittal can be found in Section V. The ARB reserves the right to refuse any applicants review based on incomplete information and may ask for additional information. Two copies of all submission documents must be delivered to the property management company by 5 pm on the Wednesday prior to the meeting. All submissions must be made in hard copy. Electronic files, emails or faxes will not be reviewed.

All design review fees are established by the Mossey Creek Architectural Review Board (ARB) and are subject to change. A current fee schedule can be obtained by contacting the property management company.

The ARB may authorize variances from compliance to these guidelines with circumstances such as topography, natural obstruction or architectural merit. All variances must be in writing. Any variance given to one property does not automatically grant a variance to another property with similar circumstances.

- The ARB meets once a month. Completed plans shall be submitted with a $50.00 check made payable to Mossy Creek no later than the last Wednesday of the month by 12 noon to Community Management Group. ARB meetings take place the first Tuesday of the month. If packages are not complete they will be rejected in total without further review. With resubmittal required by the last Wednesday of the month to be considered for the following month’s review. Any resubmittal will be subject to a $25.00 fee.

Applicants will receive written notification of the ARB’s decision within 15 days from receipt of application. If approved, the applicant will receive notification of the approval by letter from the property management company. If the plans are not approved, the applicant will be notified as to the reason for denial or conditions. Applicants are invited to contact the ARB Chairman to discuss plan changes necessary to gain ARB approval. ARB approval is valid for 12 months from the date of applicant notification. At any submittal, if the
applicant refuses to make the required modifications, the submittal shall be considered not approved.

**Appeals**

Decisions made by the ARB may be appealed. Appeals must be made in writing, signed by the owner, given a full explanation, including any support drawings. The appeal will first be submitted to the ARB. If the owner is not satisfied with the ARB’s decision, the appeal must then be submitted to the President of the BOD within 30 days of the decision. The appeal will be considered at the next BOD meeting. The owner will be notified of the BOD decision within 7 days of the BOD meeting.

1. **SITE ANALYSIS**

A site analysis is required for each lot. This must include parts of surrounding areas and take into full account the potential impact of the building site from key vantage points, including neighboring lots. Elements of the site analysis are to be incorporated into the site plan, and should include the following:

- Identification and description of views and vistas.
- Descriptions of special or unusual features on or adjacent to the site, e.g. trees, matches, ponds, boardwalks, creeks, etc.
- To assist with the site analysis, it is recommended that a thorough survey of and form (topography) and vegetation be prepared. The survey should provide sufficient detail to allow careful attention to all environmental issues.
- Refer to appendix A - Required Construction Documents for other required site analysis requirements

2. **CONCEPTUAL DESIGN REVIEW**

The Conceptual Review is a review of the initial architectural concept. The ARB requires the owner or builder to attend this meeting. This submission shall include at the minimum, the front and rear elevation, a site plan or “to scale” drawing showing the placement of house, driveway, and garages as well as selling price point. However, the applicant is encouraged to provide as much information as possible to describe the architectural character. One copy of all drawings must be provided along with a completed Form One (Application for Design Review)

3. **PRELIMINARY DESIGN REVIEW**

The Preliminary Design Review, is useful in providing information and Correcting problems before unnecessary time and effort are spent on final design plans.

Two sets of preliminary documents, a completed Form One (APPLICATION FOR DESIGN REVIEW) and a Review Fee must be submitted.

The preliminary design review is mandatory and shall contain the following:
o A copy of Appendix A-Required Construction Documents completed with as much information as available at the time.
o A site plan which shows the building outline and edges of adjacent buildings, driveways, decks, terraces, walks, topographic-information, easements and setbacks on the lot.
o A preliminary exterior wall section, which shows the basic method of construction including floor to floor height, exterior, details such as the construction of the wall at the ground level, window sills, window heads, soffits, and fascias. If a gutter is to be used it should be shown.
o Elevations of all sides noting all exteriors generically (e.g. wood shingles, brick, etc.)
o A review fee. (See attached schedule of fees)
o Selling price point
o $5,000 refundable deposit in non interest bearing account is required per home at the start of Initial review

4. FINAL DESIGN REVIEW –
After receiving the ARB’s approval of the preliminary submittal, the drawings shall be revised to address the ARB’s comments.

Required construction documents are listed in Appendix A. Two sets of final documents, a completed Form One (APPLICATION FOR DESIGN REVIEW) and the Materials and Colors Form must be submitted with this application along with any required material samples.

A refundable construction deposit in the amount of $5,000.00 made payable to Mossey Creek Property Owner’s Association by the general contractor is required with the Initial Design Review Submittal. This deposit is placed in a non-interest bearing account, and refunded, without interest, within fourteen business days of final inspection and approval of construction by the ARB, as well as the submittal of the certificate of occupancy. All or part of this deposit may be retained, per the estimation of the ARB representative, to rectify non-compliance issues.

The ARB will either approve the design not approve, or approve with conditions. If the design is approved without exception, the applicant may proceed with the construction. If the ARB approves the design with conditions, the applicant must modify the documents and resubmit. The owner is responsible for keeping copies of all checks, application forms, and any correspondence.

5. LANDSCAPE DESIGN REVIEW
A Landscape Architect licensed to practice in the State of South Carolina or other qualified designers shall prepare landscape plans.

The Landscape Plan submittal may be made at any time in the approval process including after the building’s Final Plan submittal. However, the landscape plan must be approved prior to construction commencing.
The Planting Plan shall show masses and individual plants as appropriate with each grouping labeled with both quantity and type. Plant type may utilize codes that are referenced in the Plant Schedule.

The Plant Schedule shall identify codes, common and botanical names of plants (including cultivars), quantities spacing, and size (container size for shrubs and height and/or caliper size for trees).

Lighting Plans shall show placement of fixtures, trenching locations and must include cut-sheets for fixtures and appropriate details.

Two sets of plans are required for this submittal.

**F. STAKEOUT CONFIRMATION**

The house corner stakeout by a surveyor is required before construction. The purpose is to ensure compliance with the approved plans, as well as to evaluate impact on adjacent lots, common areas, tree preservation, wetlands, and drainage. Any existing trees to be removed shall be ribboned individually or in groups. The contractor must submit a completed Form Two to the Property Management Company.

**G. CONSTRUCTION APPLICATION**

After the stakeout has been approved; the contractor must submit a completed Form Three (CONSTRUCTION APPLICATION). The applicant will be notified of approval status within 5 Working days of receipt. The contractor must receive approval before construction commences.

**H. CHANGES DURING CONSTRUCTION**

If changes to an approved plan become necessary during construction, Form Five (CONSTRUCTION OR DESIGN CHANGE APPLICATION) should be submitted to the ARB. The review process for these requests will be the same as that for new construction. However, the ARB chairperson in lieu of a full ARB review may approve minor changes to an approved plan. The committee chairperson will determine if the change warrants full ARB attention, if the change is not deemed of a minor nature. The applicant will be notified within 3 working days of meeting With the ARB chairperson as to approval, disapproval, or deferral. Multiple changes during construction, which require Architect Review, Will result in a fine.

**I. FINAL INSPECTION**

To confirm plan compliance, a final inspection will be conducted by the two ARB committee members following completion of all construction and landscaping. Submit a complete Form Four (REQUEST FOR FINAL INSPECTION/DEPOSIT REFUND). The ARB will make the inspection within 14 days.

Landscaping must be completed within 60 days of certificate of occupancy issuance.
IV. THE CONSTRUCTION PHASE

In order to maintain attractive surroundings and to promote a safe environment for residents and guests, the following guidelines have been developed for Mossy Creek to control construction activities performed by contractors, subcontractors, homeowners or others during the construction phase.

A. General Regulations

1. **Time Limit of the Construction Phase**
   All construction on particular property must be completed within an 18-month period, commencing when construction begins. Approved landscaping construction must be completed within 60 days of issuance if a certificate of occupancy.

2. **Builder Requirements**
   A licensed builder must build all homes. All builders must be licensed by the State of South Carolina. A South Carolina Residential Builder License is the minimum licensing requirement.

3. **State and Local code compliance**
   All construction must comply with Federal, State, City and local laws, codes and ordinances.

4. **Construction Entrance**
   A gravel construction entrance shall be provided and maintained in each lot during the entire construction period.

5. **Signage**
   The general contractor may post the standard identification sign and permit sign on lots during the construction phase.

6. **Working Hours**
   Working hours for all construction activities (including materials delivery) performed by contractors, subcontractors, home owners, or others, shall be restricted to the following hours:

   Monday through Friday 7:00 a.m. to 7:00 p.m. Saturday 8:00 a.m. to 5:00 p.m.
   Sunday No Work Allowed
   National Holidays No Work Allowed

   National Holidays include New Years Day, Memorial Day, July fourth, Labor Day, Thanksgiving Day, Friday after Thanksgiving, Christmas Eve and Christmas Day.
*All workers must be off site by 7 pm.

7. Conduct of Workers

The conduct of workers is the ultimate responsibility of the general contractor. Loud vehicles, radios, etc. or any other machine that is not directly related to construction activities and can disturb residents, will not be tolerated. All workers, including subcontractors and observe the posted speed limits. Proper attire must be worn (shirt, pants, shorts and shoes). Crews are not permitted the use of Mossy Creek amenities.

B. Before Construction

1. Pre-Construction Approval

The ARB must be notified of site clearing activity. Lot clearing may commence prior to construction. No construction activities may begin until the Architectural Review Board (ARB) has approved all plans, a signed Form Two (CONSTRUCTION APPLICATION) has been approved, and the Pre-Construction Site Checklist and Construction Agreement has been signed and submitted to the property management company.

2. Permits, Fees and Fines

Contractors are responsible for obtaining required building permits and paying associated fees prior to commencing construction.

The design and review guidelines contained herein have been developed to encourage good design, thus to preserve community resources and to enhance property values. To maintain these goals, any construction that takes place without ARB approval will not be tolerated. If necessary, a stop work order will be issued to the general contractor and other legal remedies will be pursued.

General Inspections will be conducted during the entire construction process. Violation of the ARB standards will result in a fine. Repeat offenses will double the initial fine amount. See attached Schedule of fees and fines (Attachment A).

3. Temporary Facilities.

Each building site is required to provide at least one toilet for the use of workers. It must be located at least 10 feet from any street, in an inconspicuous location. The door must face away from the street and any existing residences. A commercial dumpster is required for each job site and setback within a reasonable distance from any street. Temporary power poles must be installed plumb and shall not be used for posting signage. Water must be available on site at start of construction. Silt fences and other erosion control devices should be installed before initial grading. Construction and storage trailers or buildings must be approved by the ARB.
C. During Construction

1. Site Maintenance
   The general contractor must ensure that the job site is maintained in a neat and clean condition at all times. All materials and construction equipment must be stored within the lot boundaries. Adjacent lots or common space may not be used for parking, material storage or staging. Vehicles parked on the right-of-way during construction activities shall not obstruct traffic flow. Washing of vehicles, including concrete trucks shall occur on site, not in the street or common areas. Excess concrete must not be dumped on adjacent lots, common areas or right-of-ways. Dumpsters must be emptied when full.

2. Sedimentation and Erosion Control
   Streets shall be kept clear of mud, silt, and construction debris from construction traffic. Sedimentation and erosion control devices shall be continuously maintained throughout the construction, to ensure its proper function.

3. Damage,
   Inadvertent damage due to adjacent property, roads, common areas or sidewalks must be repaired at the cost to the contractor.

   All trees designated as saved trees are to be properly protected and must not be damaged. Any trees that die as a result of negligence during construction will result in a fee (see fee sheet) as well as mandatory replacement with trees of similar specification as the tree(s) removed or damaged.

4. Dues
   Home Owners Association dues must remain current throughout the ensure construction process. All outstanding fees, dues, or assessments must be paid prior to the application process. If these are not paid a stop work order will be issued.

D. After Construction

1. Clean-Up
   Upon substantial completion of construction activities, all debris shall be removed from the site and surrounding areas, and properly disposed.

2. Temporary Facilities
   All temporary facilities shall be removed after substantial construction completion. The builder identification signs shall be removed within 30 days of certificate occupancy issuance.
IV. APPENDICES

APPENDIX A: REQUIRED CONSTRUCTION DOCUMENT

One set of plans should be submitted on 24” X 36” minimum sheet size, with this checklist bound to the upper left hand side of the first sheet. Plans must be in hard copy form, electronic files or faxes will not be reviewed. The name, lot number, address and phone number of the owner and the architect/designer of the project must appear clearly on each of the drawings submitted.

SITE PLAN AT A SCALE OF 1” = 10’ 0” SHOWING:

_____ Drainage and grading plan with new contours indicated Property lines, setback lines, wetland limits and easements with dimensions sown and compass orientation
_____ Existing topography, elevations of lot corner and contour lines in increments of one or two feet, unique or extreme site features, water edges, and directions of prominent views.
_____ A landscape survey showing location of significant existing plantings.
_____ All streets adjacent to lot with street names
_____ Any existing utility structures on lot or in adjacent right of ways
_____ Any areas to be graded with drainage indicated by arrows that show flow directions
_____ Outline of exterior house Walls, decks, driveways and walks on adjacent lots that are within 10 feet of any property line
_____ Outline of house foundation walls, decks, terraces, steps, stoops and roof overhang.
_____ Finish floor elevation of the first floor garage slab.
_____ Drives and walks with dimensions and materials indicated Proposed garden walls, retaining walls, fences, screens, etc. with dimensions and materials indicated
_____ Pools and/or spas Location and description of any other accessory use (playground equipment, dog runs, gazebos, etc.)
_____ Percent of lot covered by impervious material -

FOUNDATION PLAN AT A SCALE OF 1/4” — 1’ 0” SHOWING:

_____ Walls, footings, piers, beams and floor joists (include foundations deck, retaining walls, exterior stairs, etc.)
_____ Access openings and foundation vents.

FLOOR PLANS AT A SCALE OF 1/1” = 1’ 0” SHOWING:

_____ All interior spaces drawn to scale with all rooms dimensioned and named
_____ All window and door openings
_____ Roof overhang (dashed line)
_____ Materials indicated for decks, terraces, steps, stoops and porches
_____ Finish floors and garage slab elevations
All dimensions necessary for construction

BUILDING ELEVATIONS AT SCALE OF = 1’ 0” OR GREATER SHOWING:
_____ Front, rear, right and elevation with indicated
_____ Terraces, walls, decks, vents (roof and foundation), screens for trash and HVAC compressors
_____ Any hidden elevation not shown in other drawings Finish floor elevation on each drawing with proposed finish grade line against elevation
_____ Elevations shall indicate materials and finishes, fascia, trim and handrail details, Window and door types, and trim, terraces, decks, Walls, vents (roof and foundation), screens for trash, air conditioning equipment and utilities
_____ Materials and finishes for all surfaces

LANDSCAPE PLANS AT A SCALE OF 1” = 10’ OR 1/8” SHOWING:
_____ Outline of all structures and site elements shown on the Site Plan 1 Outline of proposed tree and shrub locations showing circular symbols indicating mature spreads, lawn areas, ground cover and seasonal cover areas with quantities and names indicated
_____ Plant list showing quantity, common name, root (B&B or container), tree caliper and height, shrub container size, ground cover container size and spacing, turf (sod and plug)
_____ Natural or mulched areas and any hardscaped elements (arbors; trellis, fences, Walls, stepping stones, etc.)
_____ Locations of any proposed landscape lighting indicating fixture type, bulb type and bulb Wattage
_____ Indicate hardscape materials and dimensions Indicate species of existing vegetation to remain.
FORM ONE
APPLICATION FOR DESIGN REVIEW

The property management company must receive the application by 12 noon on the last Wednesday of the month. All ARB meetings are scheduled once per month – the first Tuesday of the month.

One set of all design documents, a copy of this form, and a copy of Appendix A-Required Construction Documents must be submitted for review

Date Submitted:______________________   Lot Number_________________________

Conceptual Design Review  _________________________ ________________
Preliminary Design Review  ________________________ _________________
Final Design Review   _____________________________ ____________
Landscaping/Irrigation Review _____________________ ____________________

Property
Owner:__________________________________________________________

Address:________________________________________________________________

City, State, Zip:___________________________________________________________

Telephone:_______________________________________________________________

Builder:________________________________________________________________

Address:________________________________________________________________

City, State, Zip:____________________________________________________________

Telephone:_______________________________________________________________

Architect/Designer:_______________________________________________________

City, State, Zip:____________________________________________________________

Telephone:_________________________Fax:____________________

Landscape
Architect/Designer:_______________________________________________________

City, State, Zip:____________________________________________________________

Telephone:_________________________Fax:____________________
Residence Square Footage/Height:

Heated Living Area_______________________
Decks________________________________
Covered Porches__________________________
Impervious Coverage_______________________

Total SF Under Roof________________________
Building Height____________________________

APPLICATION CHECKLIST

____________Site Plan  1”=1’0”
____________Front Elevation  ¼”=1’0”
____________Rear Elevation  ¼”=1’0”

PRELIMINARY REVIEW CHECKLIST

____________Site Plan  1”=1’0”
____________Floor Plans  ¼”=1’0”
____________Exterior Wall Section  1”=1’0”
____________Building Elevations  ¼”=1’0”
____________Construction Board  $5,000
____________Review Fee  $50.00
____________Resubmittal Fee  $25.00

FINAL REVIEW CHECKLIST

____________All drawings listed in Appendix A-Required Construction Documents
____________Landscape Plan  1”=10’0”
____________Material and Color Form
____________Material and Samples

Landscape plan must be submitted at Preliminary Review

For Use By ARB

Design Approval ( ) Date:______________
Comments:

Signed:____________________________ Date:______________
ARB Representative
MATERIALS AND COLOR FORM

Exterior Materials

Foundation Finish________________________________________________
Color-Include Sample______________________________________________
Exterior Walls/Siding ____________________________________________
Exterior Color-Include Sample________________________________________

Windows (submit cut sheet)

Type______________________________________________________________
Manufacturer/No___________________________________________________
Color- Include Sample/Picture________________________________________

Exterior Doors (submit cut sheet)

Materials___________________________________________________________
Mfg/No. Color-Include Sample/Picture________________________________

Roofing

Materials___________________________________________________________
Mfg No.___________________________________________________________
Color-Include Sample/Picture________________________________________

Exterior Trim

Materials___________________________________________________________
Mfg No.___________________________________________________________
Color Include Sample/Picture________________________________________

Shutters

Material___________________________________________________________
Desks/Railings
Materials______________________________________________________________
Color_________________________________________________________________

Terrace
Materials______________________________________________________________
Color_________________________________________________________________

Patios
Materials______________________________________________________________
Color_________________________________________________________________

Fence and Screens
Materials______________________________________________________________
Size and Color__________________________________________________________

Front Entry Stairs
Materials______________________________________________________________
Color_________________________________________________________________

Driveway/Sidewalks
Material/Finish__________________________________________________________

Exterior Lighting Fixtures (submit cut sheet)
Before any construction work can begin, the following checklist must be complete, signed by the ARB Chairman and submitted to Community Management Group.

_____Landscape Plan has been approved
_____Identify one 30; wide or less construction entrance at the location of the proposed driveway approved by the ARB.
_____Silt fence the entire perimeter of the home site, except at the proposed construction entrance and within the OCRM critical line or any designated wetland area. If the home site borders and existing sidewalk, the silt fence must be installed on the inside edge furthest from the road. If no sidewalk exists then the silt fence must be installed on the outside edge of the road. All silt fences must be installed by creating a 3” to 4” of the fabric placed in trench and back filled.
_____Install construction entrance by removing top 6” of existing material within proposed entrance area. Provide ample area beyond the edge of right away for construction activity and delivery of materials. Install 6” of aggregate no smaller than 1” in diameter or #57 stone or City of Hanahan Ordinance if Larger. Aggregate must be graded and compacted as best as possible. If a sidewalk exists, remove 6” of material between curbing and sidewalk and replace with aggregate and maintain an even transition between sidewalk and aggregate.
_____Have delivered one portable sanitary device per job site to remain on the job site until a Certificate of Occupancy has been granted.
_____Have delivered a construction debris container. This container must be available for storage and disposal of all discarded debris. Empty when full so that debris does not overflow or is stored on job site area.
_____Locate all sewer clean outs, water taps, electrical equipment or any other utility and existing trees or wooded areas.
_____Install protective barriers and appropriate markings to prevent possible damage
_____Construction sign conforms to MC Guidelines

Please note that the maintenance of silt fencing, construction entrance, protective barriers and the overall cleanliness of each site are the responsibilities of the contractor and property owner. The ARB will provide written notice of any observed deficiencies, and provide a short period of time before taking action which will be billed to the contractor/owner plus a fine.

__________________________  Date_____________________
ARB Chairman

__________________________ Lot #_____ Date__________________
Contractor
FORM THREE
Construction Application (continued)
Construction Agreement

I, _____________________________________________________ as property owner
and
I, _____________________________________________________ as contractor of
the above described construction project, acknowledge and agree that the improvements
will be constructed in accordance with plans and specifications which have been
approved by the ARB

We further acknowledge and agree that:
1. We have read and understand that Covenant and Restrictions applicable to the property,
all ARB guidelines and will follow and obey said Covenants, Restrictions and
Guidelines.

2. We are responsible for completing the project as described by the drawings and
specifications approved the Board.

3. We will maintain a clean construction site at all times and install a job sign,
commercial dumpster and job toilet in conformance of the ARB guidelines

4. We are responsible for the conduct of all workers and subcontractors performing
service on this project at all times while they are engaged by us.

5. The ARB’s review and approval are limited only to aesthetic considerations.
Approval by the ARB does not relieve the owner, contractor or designer of
responsibility for the compliance with all codes.

6. The Construction Bond will be held in a non-interest bearing account

7. Any monies paid out by MC for any corrections not approved by the ARB will be
deducted from the Construction Bond.

8. All HOA dues are paid and will remain current

This application and Agreement made this __________ day of _________________(year)
by:

______________________________
Property Owner’s Signature

______________________________                Lot# __________________________
Contractor’s Signature
FORM FOUR
Request for Final Inspection/Deposit Refund

The property management company must receive application by 12 noon by the last Wednesday of the month prior to the next scheduled ARB meeting held on the first Tuesday of the Month.

Date Received:_________________________

Lot #________________________________

Owner:_______________________________

Phone#:______________________________

I certify that construction has been completed and that all work done conforms to state, county and local codes, and meets Mossey Creek Guidelines.

Signed:__________________________ Date:________________________
Contractor

The quantity and size of all plant material installed is in accordance to the approved landscape plan.

Signed:__________________________ Date:________________________
Landscape Architect or Contractor

For use by ARB

Deposit Returned ( ) Amount:_______________________

Deposit Withheld ( ) Amount:_______________________

Comments:________________________________________________________________________

_________________________________________________________________________________

Signed:______________________________ Date:_____________
ARB Representative
FORM FIVE
Construction or Design Change Application

Community Management Group must receive applications by 12 noon by the last Wednesday of the month. ARB meetings are scheduled the first Tuesday of each month.

Date Received:___________________________________
Lot#:__________________________________________
Owner:__________________________________________
Telephone:______________________________________

Proposed Changes: (Attach sketch if necessary)
________________________________________________________________________
________________________________________________________________________
________________________________________________________________________
________________________________________________________________________

Reason For Change:
________________________________________________________________________
________________________________________________________________________
________________________________________________________________________
________________________________________________________________________

Signed:________________________________________  Date:_____________________
Applicant

ARB use

Request Change Approved ( )    Date:_____________________

Comments:

Approved:_______________________________________  Date:_____________________
ARB Chairman
Effective 2/28/2012 The MC ARB has approved the following fines for non-compliance. A copy of this schedule shall be posted on all job sites. The owner and General Contractor are responsible for ensuring compliance by any and all workers and sub contractors.

**Review/Construction Fees**

<table>
<thead>
<tr>
<th>Service</th>
<th>Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>Preliminary Review</td>
<td>$50.00</td>
</tr>
<tr>
<td>Resubmitted Application</td>
<td>$25.00</td>
</tr>
<tr>
<td>Construction Deposit</td>
<td>$5,000</td>
</tr>
</tbody>
</table>

**Schedule of Fines**

The following list represents a schedule of fines for homes during construction. These fines will be collected from the construction deposit.

a. Littered site/No dumpster $250.00

b. Damage to right-of-way $100.00, plus restoration

c. Parking or dumpster on adjacent property or taking up Majority of road without designated parking spaces $100.00 per violation

d. Building material or equipment on adjacent property $100.00

e. No temporary sanitary facilities $100.00

f. Nonconforming job sign $100.00

g. Damage to natural areas $1,500.00 plus restoration deducted from deposit

h. Damage to common areas $1,500.00 plus restoration deducted from deposit

i. Unauthorized plan change (minor) $250.00

j. Unauthorized plan change (major) $1,500.00

k. Unauthorized finishes (paint, stain, roof material) $1,500.00

l. Silt fences not installed or maintained properly $250.00
m. Clearing site without permit $1,500.00

n. Fill placed on tree roots $250.00

o. Working on a Sunday without a permit $500.00

p. Working After Hours without a permit $500.00

q. Working on a Holiday $1,000.00

r. Site fill or installation of landscaping without approval $1,500.00

s. Lot damage to adjacent property $500.00, plus restoration deducted from deposit

t. Dirt/Trash in the Street $100.00

u. Dumpster overflowing more than 3 business days $500.00

v. Unauthorized tree removal $1,500.00, plus mitigation

w. Failure to maintain lot $100

ARB will assess fines on a case-by-case basis and may pursue legal action if necessary. The amounts of the fines given above are subject of periodic increases at the sole discretion of the ARB.

**Builder shall have 24 hours to remedy violation, unless otherwise noted by the ARB, before fines are doubled.

First Violation:
Written notice shall be given to the owner(s) in non-compliance. If the violation is not corrected within the applicable time period the fine will be doubled.

Second and Subsequent Violations
Written notice shall be given of the violation, a fine levied at two times the applicable rate above with the fine doubling for each day of continued violation

If you have questions regarding these Construction compliance rules and regulations please contact Community Management Group.