

Peerless Pointe Architectural Design Standards

Why have design standards?

The purpose of design standards is to preserve the quality of life, the appearance, and high property values in our community. With this in mind, the Architectural Review Committee has initiated the design standards since the founding of Peerless Pointe. This reflects a continued change in emphasis from regulating new construction to managing the maintenance and updating of homes to enhance all our needs as a maturing community.

We have approached these changes in a positive light, hoping to set the tone for continuing confidence and pride in Peerless Pointe. Please note these standards must be used in conjunction with the Peerless Pointe Subdivision Declaration of Covenants as amended.

Architectural Review Committee

AUTHORITY – The Architectural Review Committee (ARC) is given its authority by the Peerless Pointe Declaration of Covenants, Restrictions and Easements, as amended ("Declaration"). The Design Standards are formulated by the ARC, and are in addition to the requirements and provisions of the Declaration.

PURPOSE – The purpose of the ARC is to assure that any improvement, installation, construction or alteration of any Structure on any Lot; the maintenance of Structures and Lots; the landscaping/hardscaping of any Lot; and all other provisions of the Declaration and the Design Standards shall be in accordance with the Declaration, shall be in conformity and harmony with the standards of the neighborhood, and with the Standards established by the ARC. Interior alterations are not subject to ARC approval.

SUBMISSION OF PLANS AND SPECIFICATIONS – During the design stage of a proposed improvement, the ARC Application form must be submitted by the Property Owner(s) to the ARC. Forms are available from an ARC committee member. **NO IMPROVEMENTS SHALL BEGIN BEFORE ARC APPROVAL HAS BEEN GRANTED IN WRITING.**

In addition to the Approval Form, additional documentation should be provided, including, without being limited to: site location drawings, photographs or drawings of planned Structures, material or color samples, landscape---planting plans, or any other data to convey the necessary information. Incomplete information or documentation will result in rejection of the application. Completed forms and documents will be kept on file with the ARC as a permanent record.

The Declaration provides the ARC thirty (30) days for review. The review shall be in writing on the official form and shall contain any recommendations, changes or conditions. A copy of the form will be returned to the Property Owner indicating the decision of the ARC. ARC approval does not relieve the Property Owner of responsibility for compliance with applicable codes, zoning and other governmental requirements.

RIGHT OF ENFORCEMENT – THE ASSOCIATION HAS THE LEGAL AUTHORITY, AS ESTABLISHED IN ARTICLES XI OF THE DECLARATION, TO ENFORCE THE DESIGN STANDARDS, INCLUDING THE RIGHT OF ABATEMENT.

AMENDMENT – The Design Standards may be amended from time to time by a majority vote of the members of the ARC. Those amendments must be approved by the Peerless Pointe Board.

DESIGN STANDARDS

DEFINITIONS – The terms of the Declaration shall apply to the Design Standards. The ARC will categorize and define all other improvements and related terms. The decision of the ARC in these matters is final.

VIOLATIONS of Design Standards will be resolved on an individual basis and *decisions of the ARC are final.*

CONSTRUCTION CONTROLS are the responsibility of the Property Owner. This includes, but is not limited to, consideration of other homeowners during normal work hours, delivery of work materials and removal of excess materials during and upon completion of construction, erosion (silt and mud) control, construction signs, containment and removal of trash and debris in a timely manner, and the general appearance of the site. Trees are to be kept free of permits and other signs. Owner must take all necessary precautions to protect existing vegetation during construction. Tree saves and silt fences are to be maintained on a regular basis until construction is complete. If construction is suspended for over 30 days all stored material, dumpsters and portable toilets shall be removed until construction resumes. Washing of any construction vehicle on the street is not allowed. Loud CD players, tape players, and radios are not allowed on construction sites. Owner and builder will do everything they can, within reason, to keep noise levels down for the neighborhood. Non-construction working spouses, children or unleashed pets of builder, subcontractor, vendor or other workers are not allowed on job site. No alcohol, illegal drugs or firearms are allowed on construction sites. Excess dirt and construction materials cannot be stored on any neighboring Lot(s). A temporary toilet facility shall be located off public streets. Their doors should face away from the street and neighbors homes. Mud tracked onto the street shall be removed at the close of each day.

DUMPSTERS AND P.O.D.S. – Dumpsters, or any containers for collection of trash and debris, must be approved by the ARC prior to placement on any Lot, and may be located thereon for a period as approved by the ARC. In any event, no construction debris shall be allowed to accumulate on any Lot.

P.O.D.S. (Portable On Demand Storage) or similar containers are permitted for two weeks for the purpose of moving.

Foundation and First Floor Height - Pier and Beam construction allowed, not slab. The first floor of any dwelling shall be constructed at an elevation no less than 36" above finished grade. 39" height elevated crawl from footer with lattice detail to match existing homes. Concrete block piers shall be parged and painted same color as siding. Stucco or exposed block will not be allowed. First floor wall height to top Plate must be a minimum of nine feet.

FENCES/WALLS --- No fence or wall of any kind shall be erected on any Lot without the prior written approval of the ARC. Fences/walls of wood, stone or brick are preferred and eligible for approval. *Chain link and vinyl fences are expressly prohibited.* A post/rail fence with welded wire "invisible" mesh attached to the inside may be acceptable at the rear or side of a Lot. Chain Link Kennels are permitted in the rear of the lot, with a maximum size of 6' wide x 4' high x 8' long.

Larger Kennels need to be approved by the ARC.

Fences or walls shall:

Be located in the rear and adjoining of a Lot, never in the front of a Lot;

Compliment the design, texture and color of all Structures on the same Lot;

Be a maximum of 6 feet above grade in height;

Constructed of post/rail with wire fencing may be a minimum of one foot inside the property line. All other fences shall be placed or constructed as approved by the ARC;

Privacy fences shall not completely block vision, and therefore, shall not be placed or constructed within fifteen (15) feet of any property line unless approved by the ARC;

Include planting screens and landscaping as an integral component, if required by the ARC; and not attract attention as distinct architectural elements.

Front Porch

8 ft depth covered front porches required on all houses. Front porches and stairs shall have white railing and pickets. Board on board or tongue and groove wood porches and stairs. Poured concrete porches not allowed. Composite.

Exterior columns shall be round (8" diameter) or 8 "square.

Decks

All decks are subject to Architectural Review Committee approval. A drawing of the proposed deck must be submitted with the architectural request for committee review. Written approval must be obtained prior to construction.

Decks shall be architecturally harmonious with the house and shall be painted or stained to match the other significant features of the house. Unpainted, or un-stained exposed features of the deck shall not be allowed.

LAWN ORNAMENTS such as, but not limited to, flamingos, concrete statues, ceramic animals, trellises, and other decorative objects to be approved by the ARC.

LIGHTING – Industrial---looking and intrusive glaring exterior lights are prohibited.

Play and Sports Equipment

All play and sports equipment are subject to Architectural Committee approval. Such play equipment shall be of an appropriate scale and constructed of approved material and of an approved color. Such equipment shall not exceed 12' in height.

MAILBOXES – A standard mailbox and post design has been adopted for the entire community. Other types of mailbox assemblies are NOT permitted. Each Homeowner must maintain, in good condition, the box and stand. ARC involvement is not required to replace the standard mailbox assemblies. The mailbox and post must be plain black, and size T---2 (10---7/8"h x 8---1/2"w x 20---1/4"d). Only one mailbox/post per Lot is allowed. The current United States Postal Service guideline for installation is that the bottom of the mailbox must be 42---48 inches from the ground.

PAINTING AND STAINING (Every Color Needs ARC Approval)

Prior approval is required for any painting or staining of exterior surfaces (excluding decks), **even** if the intent is to duplicate the existing colors.

Color chips for all proposed colors must accompany all paint approval forms. All paint should be a matte or semi---gloss finish. Colors to be similar to those colors already existing in the subdivision.

A maximum of three (3) colors may be used on any one house, one for siding, one for window trim and one for shutters/front door. Houses shall have a shade of white trim and siding shall be of a color pre-existing in neighborhood, but not directly adjacent or across the street to the house. Concrete block piers shall be parged and painted same color as siding. Stucco or exposed block will not be allowed.

The color of the roof and any other materials, such as brick or stone, must be considered when selecting house colors.

Trim around the front door should match the window trim.

Cornice and fascia may be either the siding color or the trim color. .

If a basketball backboard is ***attached to the house or garage***, it must be painted the same color as the material behind it.

PLANTING SCREENS are to hide objects visible from the street such as, but not limited to, transformers, trash containers, woodpiles, and other objects as required by the ARC.

ROOFING –A building's roof is integral to a home's architectural character. Roofing material color and texture should reflect other materials on the homes and adjacent properties. Roofing materials to be used for replacement of an existing roof are to be submitted to the Committee for approval prior to replacement. All new roof and replacement must be approved by the ARC. Only brown, black, brown/black and gray/black roof materials are acceptable. A sample of the proposed roof material must be provided. All roof stacks and flashing must be painted to blend with roof colors.

Architectural three-dimensional roofing shingles are required

PARKING --- Commercial vehicles, school buses, **RV's**, campers, trailers, boats and other watercraft are not to be parked on a Lot visible from the street or common area. Referencing Section 10.19 in the Covenants, "Boats, boat trailer, and recreational vehicle may be parked on the premises either in the yard or such location as may be approved in writing by the ARC." As noted in Section 10.15 "Each Owner shall keep his Home.....in good order.....consistent with safety and good property management".

– “The Association” (Board) “is formed to provide for maintenance, preservation and architectural control of the lots and Common Area which comprise the Property, and to promote the health, safety and welfare of the Owners and Occupants within the Property”. Therefore, private automobiles shall be parked on the Homeowner’s area of property. On---street parking is not allowed (Section 10.15 “consistent with safety and good property management”) except for short---term visitors for parties, etc., subject to the current traffic laws of the county. In addition, no vehicle or trailer of any kind dismantled, inoperative or without a current vehicle tag may be stored on any street or residential property, unless stored in a garage.

SIGNS -

Directional signs for a real estate open house or garage/yard sale may be placed at street intersections, excluding Common Property locations, and shall be on free- standing metal or wood stakes, and are not allowed to be attached to any portion of street signs or stop signs. Person(s) placing any signs shall be responsible for any damage caused.

Signs may be installed 24 hours before the day of an event and must be removed within one hour after completion of said event. Limit to one sign no greater than 6 square feet in size.

Signs not in compliance with this Standard shall be removed.

SATELLITE DISHES exceeding 39 inches shall not be installed on any Lot. Section 10.08 is superseded by new FCC law. The Federal Communications Commission (FCC) adopted rules for Over---the---Air---Reception Devices (“OTARD” rules). The OTARD rules prohibit restrictions on a property owner or tenant’s right to install, maintain, or use an antenna to receive video programming from direct broadcast satellites (DBS), broadband radio services (formerly referred to as multichannel multipoint distribution services or MMDS), and television broadcast stations (TVBS). **What Types of Antennas Are Covered Under the OTARD Rules?**

The following antennas or dishes are covered by these rules:

A "dish" antenna one meter (39.37 inches) or less in diameter, designed to receive direct broadcast satellite service, including direct---to---home satellite service, or to receive or transmit fixed wireless signals via satellite.

An antenna that is one meter or less in diameter and is designed to receive video programming services via broadband radio service (wireless cable), or to receive or transmit fixed wireless signals other than via satellite.

An antenna that is designed to receive local television broadcast signals.

Antennas used for AM/FM radio, amateur (“ham”) radio, CB radio, Digital Audio Radio Services (“DARS”), or antennas used as part of a hub to relay signals among multiple locations **are not** covered by these rules.

SIDING AND SHUTTERS – All siding and shutter material must be submitted for approval by the ARC. Vinyl siding is not allowed. Only James Hardie siding products shall be allowed on exterior (vinyl soffits allowed). A frieze consistent with the dimensions and locations to match existing homes.

WINDOWS AND DOORS – Silver---finished aluminum doors (including sliding doors) and windows shall not be approved. A factory painted or anodized finish aluminum or vinyl may be used, the color of which shall be specified in the plans and specifications submitted to the ARC for approval, and shall be subject to the color guidelines. Front facing windows should be simulated divided light or grids between glass (gbg). Exterior window and door trim shall be consistent with existing homes.

SOLAR COLLECTORS – Solar collectors may be allowed provided they resemble skylights in appearance and are not visible from the street or common area. ARC approval is required.

WOOD for fireplaces shall be neatly stacked and not visible from the street.

DRIVEWAYS AND PULL---OFF AREAS – Driveways shall be constructed with concrete. Strip driveways only until garage apron. Sidewalk shall connect driveway to front door.

Any repairs to driveways and/or additions of parking areas shall be constructed of the same material and shall be of the same level as the existing driveway. The ARC may consider other hard surface materials when plans and specifications are submitted for approval.

ADDITIONS and OUT BUILDINGS

Detached garages only. No attached garages.

Any additional structures to owners property must conform to the existing architecture of the primary dwelling, colors, materials used for construction, size, etc.

New additions and newly constructed homes must be considered customary with a neighborhood that has homes in the \$300,000 -- \$ 400,000+ range.

Neighbors will be a consideration during reviews, since their home value (and curb appeal to potential buyers) would be negatively affected by things that are odd, unusual, or out of the norm for a new subdivision with nice homes.

Freestanding structures must be approved by the ARC.

Prefabricated or factory built structures shall not be permitted within the Peerless Pointe subdivision, and such manufactured units shall not be employed as elements in the construction of residential Structures affixed to real property within the subdivision except by express written consent of the ARC. Reference Article VII – “The ARC shall be the sole arbiter of such plans and may withhold approval for any reason, including purely aesthetic consideration.” Reference Article

10.6 – “no house trailer, shack, tent, barn, shed, workshop or other structure or outbuilding of any kind shall be erected or allowed to remain on any House Site without approval of the ARC.”

LANDSCAPING --- A written landscape plan to be submitted to the ARC prior to any **major** changes in the current landscape layout. This plan should include a drawing to show location, description of all "hardscape" items such as walls, rocks, fountains, statuary and so forth. The plan must be completed within the time frame agreed to by the ARC, but no later than six (6) months after the approval date. Any landscaping improvements shall not alter drainage of water onto neighboring properties or common property. Front of house should be planted with bushes. Sides of house should be planted with shrubbery and trees. Front yards shall have planted trees and landscape beds. All plant material shall be a minimum of 3 gallon plants and 2.5" caliper trees. HVAC units, power meters, satellite dishes shall be shielded by landscaping. All 6" caliper trees should be saved or approved for removal by ARC. **TREES** – In keeping with the unique nature of the community, and to maintain the visual harmony and preservation of trees, the ARC requires that any tree removal request be accompanied by a landscape plan showing replacement material(s). When the ARC has approved trees to be removed, stumps in front yards or visible from the street or common property, must be ground down to the level of the surrounding soil. When trees are removed, the ARC may require replacement of such trees with the same or alternate species.

PLANTING SCREENS are required to hide objects visible from the street such as, but not limited to trash containers, woodpiles, and other objects as required by the ARC. Planting screens shall be composed of species approved by the ARC;

LAWN AND LANDSCAPE MAINTENANCE – The Homeowner shall perform lawn and landscape maintenance in a timely manner. This should include cutting of grass (more frequently during growing seasons). Vegetable gardens should be located at the rear of the Lot, and if necessary, screened so as not to be visible from the street.

SWIMMING POOLS AND SPAS – Plans for swimming pools or spa installation must be submitted to the ARC for approval. Said plans should include, but not be limited to, location, materials, lighting, fencing, and landscaping. No above ground swimming pools are permitted.

UNSIGHTLY OR UNSAFE CONDITIONS – Defined as situations not covered specifically by other sections that harm the beauty, safety, consistency and visual harmony of Peerless Pointe. The ARC will be the sole judge of whether or not a situation falls into this category (Reference Article VII – “The ARC shall be the sole arbiter of such plans and may withhold approval for any reason, including purely aesthetic consideration.”). Each case will be resolved as required by the ARC on an individual basis. Examples include, but are not limited to; dog runs on lines or ropes visible from the street or common area, maintenance of shrubs at intersections, and window air conditioners.

ARCHITECTURAL CONTROL

Architectural Review Committee --- Composition.

Design Standards.

(a) The ARC shall from time to time adopt, promulgate, amend, revoke and enforce guidelines (the “Design Standards”) for the purposes of:

(i) governing the form and content of plans and specifications to be submitted to the ARC for approval pursuant to the provisions of this Declaration;

- (ii) governing the procedure for such submission of plans and specifications;
- (iii) establishing guidelines with respect to the approval and disapproval of design features, architectural styles, exterior colors and materials, details of construction, location and size of Structures and all other matters that require approval by the ARC pursuant to this Declaration; and
- (iv) assuring the conformity and harmony of external design and general quality of Peerless Pointe Development.

Homes within Peerless Pointe should be of similar cottage design. Reference “Moser Design Group” house plans provided for appropriate selection.

Approval of Plans and Specifications. Upon approval by the ARC of any plans and specifications submitted pursuant to this Declaration, a copy of such plans and specifications, as approved, shall be deposited for permanent record with the ARC and a copy of such plans and specifications bearing such approval, in writing, shall be returned to the applicant submitting the same. Approval for use in connection with any Lot or Structure of any plans and specifications shall not be deemed a waiver of the ARC'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 or Structure. Approval of any such plans and specifications relating to any Lot or Structure, however, shall be final as to that Lot or Structure and such approval may not be revoked or rescinded thereafter, provided that there has been adherence to, and compliance with, such plans and specifications, as approved, and any conditions attached to any such approval.

Disapproval of Plans and Specifications. The ARC shall have the right to disapprove any plans and specifications submitted pursuant to this Declaration because of any of the following:

- a) the failure to include information in such plans and specifications as may have been reasonably requested;
- b) the failure of such plans or specifications to comply with this Declaration or the Design Standards;
- c) any other matter which, in the judgment of the ARC, would be likely to cause the proposed installation, construction or alteration of a Structure (i) to fail to be in conformity and harmony of external design and general quality with the standards for Peerless Pointe Development as set forth in the Design Standards, or (ii) as to location to be incompatible with topography, finished ground elevation and surrounding Structures.
- d) The ARC shall make a published copy of its current Design Standards readily available to Members and prospective Members of the Association and to all applicants seeking the ARC's approval. All applicants will be members and therefore subject to the Design Standards.
- e) Submission of Plans and Specifications. No Structure shall be commenced, erected, placed, moved onto, or permitted to remain on any Lot, nor shall any existing Structure upon any Lot be altered in any way which changes the exterior appearance of the Structure or Lot, unless plans and specifications therefore shall have been submitted to and approved in writing by the ARC. Such plans and specifications shall be in such form and shall contain such information as may reasonably be required by the ARC in the Design Standards, including, without being limited to:
 - (a) a site plan showing the location of all proposed and existing Structures on the Lot including building setbacks, open space, driveways, walkways and parking spaces including the number thereof;
 - (b) a foundation plan;
 - (c) a floor plan;
 - (d) exterior elevations of all proposed Structures and alterations to existing Structures, as such Structures will appear after all back---filling and landscaping are completed;

(e) specifications of materials, color scheme, lighting scheme and other details affecting the exterior appearance of all proposed Structures and alterations to existing Structures; and

(f) plans for landscaping and grading.

(g) Preliminary Water drainage plan.

i. Existing drainage pattern.

ii. Proposed changes to existing drainage.

iii. Erosion control plan.

OWNER STATUS – Prior to acceptance of any plans and designs for review and approval, by the ARC, the Owner must be in good financial standing with the Association. All assessments (current and past due) must be paid in full prior to ARC action on any lot.

In any case in which the ARC shall disapprove any plans and specifications submitted hereunder, or shall approve the same only as modified or upon specified conditions, such disapproval or qualified approval shall be accompanied by a statement of the grounds upon which such action was based. In any such case the ARC shall, if requested, make reasonable efforts to assist and advise the applicant in order that an acceptable proposal may be prepared and submitted for approval.

Obligation to Act. The ARC shall take action on any plans and specifications submitted as herein provided within thirty (30) days after receipt thereof. Approval by the ARC, if granted, together with any conditions imposed by the ARC, shall be placed in writing on the plans and specifications and shall be returned to the applicant. Failure by ARC to take action within thirty (30) days of receipt of plans and specifications submitted for approval shall be deemed approval of such plans and specifications.

Inspection Rights. Any employee or agent of the Association or the ARC may, after reasonable notice, at any reasonable time or times, enter upon any Lot and Structure thereon for the purpose of ascertaining whether the installation, construction, alteration or maintenance of any Structure or the use of any Lot or Structure is in compliance with the provisions of this Declaration; and neither the Association, nor the ARC, nor any such agent shall be deemed to have committed a trespass or other wrongful act solely by reason of such entry or inspection, provided such inspection is carried out in accordance with the terms of this Section.

Violations. If any Structure shall be erected, placed, maintained or altered upon any Lot, otherwise than in accordance with the plans and specifications approved by the ARC pursuant to the provisions of this Article, such erection, placement, maintenance or alteration shall be deemed to have been undertaken in violation of this Article and without the approval required herein. The Board shall provide written notice to the Owner by certified mail, setting forth in reasonable detail the nature of the violation and the specific action or actions required to remedy the violation. If the Owner shall not have taken reasonable steps toward the required remedial action within thirty (30) days after the mailing of the aforesaid notice of violation, then the Association shall have the Right of Abatement as provided in Section 11.02 hereof.

Nondiscrimination by ARC. The ARC shall not discriminate against any applicant requesting its approval of plans and specifications because of such applicant's race, color, sex, religion or national origin. Further, the ARC in the exercise of its powers granted pursuant to this Declaration shall not take any action the intent or effect of which is to discriminate against persons of a particular race, color, sex, religion or national origin.

COMPLIANCE. The goal of the Peerless Pointe Homeowners' Association, Inc. is to enforce the Declaration of Covenants, Restrictions and Easements and the Design Standards uniformly. All non-compliance issues must be corrected within thirty (30) days of written notice unless noted. If this is not possible a schedule to correct the violations must be submitted to the ARC for approval with a written description of why. Any non-compliance issue not resolved will be addressed as defined in Article Section 11.02 of the Declaration.

APPLICATION PROCESS – The submission process has four parts. The first part is the submission and approval by the ARC of the application and preliminary drawings. During this period many revisions to the drawings and the specifications may be required by the ARC. The second part is the submission of the Performance Agreement and final drawings and specifications. These are the formal documents required by Charleston County and must be wet signed and sealed. If Charleston County requires changes in the drawings and specifications, then those changes are to be forwarded to the ARC. The ARC may enlist professional assistance in reviewing all applications. The third part is the review of foundation and framing surveys. The fourth and final part is the inspection of completed construction against the Performance Agreement and final drawings and specifications.

APPLICATION FORM – Initial Submittal: New Construction Application

Preliminary Site Plans - are to be prepared by a design professional (e.g., landscape architect, architect, civil engineer, surveyor, or land planner) stamped and signed. Site plans must show the property's boundaries, set backs, existing structures, hardscape, all trees over six (6) inch diameter to be removed must be marked for approval by the ARC, new setbacks limiting new construction, existing drainage pattern and proposed changes to existing drainage, erosion control plan, fences, proposed location of temporary material storage and construction dumpster. Site plans are to be completed 1/10" = 1' scale.

Preliminary Water drainage plan.

- i. Existing drainage pattern.
- ii. Proposed changes to existing drainage.
- iii. Erosion control plan.

Preliminary Exterior Elevations.

- i. Drawn to 1/4" = 1' scale.
- ii. Show chimneys, skylights and roof vents.
- iii. Show existing and finished grade elevations at building.
- iv. Show maximum height of structure with line drawn parallel to natural grade.

Preliminary Floor Plans and Representative Sections. Drawn to 1/4" = 1' scale.

Preliminary Professional Landscape Plan. Include new and existing landscape.

Materials.

- i. Describe the building exterior materials and colors.
- ii. Provide finish chip samples of roofing, siding, and paint colors. Provide window style/finish and trim, and exterior lighting style/finish.

Construction schedule.

- i. Submit construction schedule.
- ii. Construction must be completed within six months.

PERFORMANCE AGREEMENT – Final Submittal:

One Complete Set of Plans will be retained by the ARC. These are to be identical to those that will be submitted to Charleston County, wet-signed by both architect and Owner, and include the site plans and architectural plans showing all items previously identified with the preliminary submittal, as well as structural and foundations plans. Scaled dimensional elevations of all external walls showing finished grade, floor elevations, roof height pitch and all finish material and their locations

Samples chips of all Final Exterior Materials. Provide a sample of all exterior materials, including paint color for approval.

Final Construction Schedule. Note completion of exterior elements, final grading, and all landscaping

per plans.

CONSTRUCTION SURVEYS AND INSPECTIONS –

Setback surveys – The setback requirements will be strictly enforced.

- i. Foundation Phase – A certified foundation/house location survey by a licensed surveyor will be submitted to the ARC at the time that the foundation is completed.
- ii. Framing Phase – Certification of construction dimensions/elevations by a licensed land surveyor shall be submitted to the ARC at the completion of all framing/sheathing activities to confirm that as-built construction meets approved elevations and dimensions.
- iii. Obtainment and payment for said surveys is the responsibility of the Owner.
- iv. Any deviation from approved height limits and size will be cause for remedial mitigation, regardless of state of completion, and demand for correction may be made by the ARC up to and including thirty (30) days after notification of completion of the project.

Paint color inspection – A two (2) foot by two (2) foot area of siding along with a two (2) foot length of trim will be painted with the previously approved paint trim and siding colors and reviewed by the ACC.

COMPLETION OF CONSTRUCTION – The Owner shall notify the ARC upon completion of construction for work for which plans or approval has been required. The ARC has thirty (30) days to inspect the project for compliance with the approved plans. After inspection, the Owner will be notified in writing of any non-compliance issues.

FEES AND DEPOSITS

Application Form – Initial application.

Performance Agreement – Final submission of plans and drawings.

Foundation survey

Framing survey

Post construction inspection

The homeowner will pay all fees with the monies from the security deposit.

We herewith deposit with the Peerless Pointe HOA \$3,000 as a performance deposit and inspection fee. We understand that during construction, all or part of this deposit may be used to defray costs incurred by the Peerless Pointe HOA. If all or any portion of the deposit is expended during construction, I/we agree to deposit immediately with the Peerless Pointe HOA the amount or amounts necessary to restore the deposit to the above sum. We further understand that following the completion of construction all or part of the deposit may be used for site or street clean up and damage repair. The deposit less any amounts expended will be returned to the applicant/property owner within thirty (30) days after recordation of Notice of Completion.

REVIEW AND APPROVAL

ARC REVIEW – The ARC may set frequency of review procedures, but all plans will be reviewed and responded to within a thirty (30) day period from date of submission by the Property Owner. For specific dates of meetings, contact the ARC.

ARC APPROVAL – The Design Standards are not the exclusive basis for the ARC's decision, and compliance with the design standards does not guarantee an applicants approval. The ARC is authorized to approve or disapprove, interpret the aesthetic standards in Peerless Pointe to assure the conformity and harmony of external design and general quality.

COMPLIANCE

The goal of the Peerless Pointe Homeowners' Association, Inc. is to enforce the Declaration of

Covenants, Restrictions and Easements and the Design Standards uniformly. All non-compliance issues must be corrected within thirty (30) days of written notice unless noted. If this is not possible a schedule to correct the violations must be submitted to the ARC for approval with a written description of why. Any non-compliance issue not resolved will be addressed as defined in Section 11.02 of the Declaration.

APPLICATION FORM: NEW CONSTRUCTION

To: Architectural Review Committee
Peerless Pointe Homeowners' Association
Wadmalaw Island, SC

Building Plan Application Street Address _____ -- _____
Name(s) Owner(s) _____
Address if other than Application Address _____
Home Phone _____ Cell Phone _____

Builder Company Name _____
License # _____
Name of Builder _____
Business Address _____
Business Phone Number _____ Cell Phone _____
Business Fax Number _____

Information Attached:

____ Site Plans
____ Water Drainage Plan
____ Exterior Elevations
____ Floor Plans and Representative Sections
____ Professional Landscape Plan and Grading Plan
____ Material Description and Samples
____ Construction Schedule
____ Other - Please describe _____ - - - - - _____

I have read the Peerless Pointe Homeowners' Association Declaration of Covenants, Restrictions and Easements AND the Design Standards.

Signature of Owner _____

Architectural Control Committee (ARC) Records

Date Received _____
Date Reviewed _____
(See Comments on Attached)

Peerless Pointe Homeowners Association

PERFORMANCE AGREEMENT: (NEW CONSTRUCTION or MAJOR REVISION)

I/We, _____, the applicant(s) and property owner(s) and contractor for said property of the property located at _____ Wadmalaw Island, SC, hereby certify the following:

The structure will be built according to the approved plans. I/we understand:

That a survey will be performed after completion of construction and that any deviation exceeding the approved height and size limits must be corrected REGARDLESS OF STATE OF COMPLETION.

That storm water run-off and drainage mitigation will be performed as planned,

That I/we will conform to the Covenants, Design Standards and Architectural Review Committee Recommendations,

That the construction site will be kept neat and orderly during all phases of the construction,

That the streets adjacent to the construction property will be kept clean and unobstructed, and any damage, accidental or otherwise, will be repaired to the satisfaction of the Peerless Pointe Homeowners Association.

That the construction site will be cleared of all temporary structures, construction debris, excess dirt and leftover construction materials at the conclusion of the construction.

We herewith deposit with the Peerless Pointe HOA \$3,000 as a performance deposit and inspection fee. We understand that during construction, all or part of this deposit may be used to defray costs incurred by the Peerless Pointe HOA. If all or any portion of the deposit is expended during construction, I/we agree to deposit immediately with the Peerless Pointe HOA the amount or amounts necessary to restore the deposit to the above sum. We further understand that following the completion of construction all or part of the deposit may be used for site or street clean up and damage repair. The deposit less any amounts expended will be returned to the applicant/property owner within thirty (30) days after recordation of Notice of Completion.

Signed:
Applicant/Property Owner

Dated:

Signed:
Applicant/Property Owner (if more than owner, each must sign)

Dated:

Contractor Information:
Name/Contractor License Number

Address

Phone _