



**Policy Statement 91-01**  
**ARCHITECTURAL REVIEW BOARD**  
**Guidelines and Procedures Effective 1/1/2026**

## How This Document is Organized

Members can seek guidance within the body of this document, which has been organized as follows:

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## Part I

### Introduction and General Provisions

As homeowners in Moss Creek, we enjoy being part of a community that surrounds us with amazing amenities and a setting that respects nature in an environmentally friendly and sustainable way. It is no secret that Moss Creek is a “maturing” community, where change and property improvement is not only inevitable, but necessary. So, whether it is a new paint job, refreshing old landscaping, trimming, or removing mature trees, replacing a deck, or adding a porch or patio, change is something to embrace.

Exterior projects, such as window and door replacements, decks, renovations and new construction, etc., are subject to local building code compliance. It is the responsibility of the owner or the owner’s agent (contractor) to fully comply with all building codes and applicable laws.

#### Governance

Considering the size of the Moss Creek community and the variety of exterior property improvements that homeowners might consider, governance is required to ensure that improvements meet certain requirements specific to color, materials, landscaping, lighting, and location, to name just a few. This governance falls to the Architectural Review Board (ARB), and a set of guidelines and procedures that have been developed over the years. It is important to all Moss Creek residents that the process used to review potential exterior change is as objective as possible and up to date, reflecting the needs of our community.

#### Who We Are - ARB

The Moss Creek ARB consists of fellow Moss Creek residents, who volunteer their time, providing a critical resource to review requests for exterior property improvement within the community. Working in partnership with the MCOA Board, General Manager (GM), Administrative team, and various other committees, the ARB should be considered your point of contact for all exterior improvement projects.

The ARB is the agent of the Moss Creek Owners Association (MCOA) Board of Directors, for the purpose of overseeing the consistent maintenance of an aesthetically pleasing private residential community. Additionally, the ARB has architectural control of Moss Creek Village, just outside the main entrance.

***The following information has been developed over time, and will continue to evolve, ensuring an “architecturally pleasing community.” Except as specified within this document, no building, fencing, or structure shall be located, erected, constructed, extended, enlarged, converted, or modified, and no lot landscaped, or altered, unless in compliance with these guidelines and procedures and following written approval by the ARB. No exterior improvements are to be made prior to the submittal of the appropriate application, and review and approval by the ARB.***

**The ARB reserves the right to impose fines for violation of these guidelines up to \$1000.**

**Unresolved violations, within 30 days of the notice of a fine, will be elevated to the General Manager for discussion with legal counsel.**

**Members are encouraged to reach out to the ARB Administrator, ARB Chair or Vice-Chair or General Manager during the application initiation process for assistance.**

### **An Open Invitation**

Meetings of the ARB are generally held on the second and fourth Monday of each month at the Clubhouse. For an application (see the appendix for auto-fill applications for a wide range of exterior projects) to be included on a meeting agenda, the application must be received at the Administration office at least seven days prior to the scheduled ARB meeting. This allows for an application and supporting documentation to be circulated to the ARB in advance of the meeting, facilitating the appropriate discussion. As meetings are generally held twice each month, a decision on the request could take up to two 2 weeks, unless the application qualifies for approval under the Expedited Review process – see below. Applicants are encouraged to attend the ARB meeting in person or via Zoom, during the review of their application so that questions can be addressed in real time, shortening the approval process.

Note: With appropriate application and supporting documents/information for specific types of projects identified below, the ARB Chair can, at his/her discretion, review and approve such projects outside the routine ARB process under an “*Expedited Review Process.*” Projects eligible for expedited review include, exterior painting, roof replacement, driveway repair or modification (i.e. addition of pavers) within the current driveway footprint, front door replacement or color change. In addition, items previously approved by the ARB pending additional information, may be finalized through the Expedited Review Process. Applicants must complete the appropriate application and submit the required information to the ARB Administrator. The applicant will be contacted if the application is approved via the Expedited Review Process.

### **The ARB Approval Process - Why It Matters**

Approvals granted by the ARB confirm that requested improvements meet ARB guidelines and procedures. Approvals do not constitute an opinion, approval, warranty, or representation by the ARB as to structural safety, soundness of design, or compliance with any applicable governmental laws, codes, and other safety requirements, all of which remain the responsibility of the applicant.

In no event shall MCOA or the ARB be responsible for any damages arising from the applicant’s implementation of the plans approved by the ARB or for the ARB’s Administration and/or enforcement of these guidelines and procedures.

As property improvements have been made over the years, guidelines and procedures have evolved. This is important to note, as previous ARB approvals do not guarantee future approvals of similar improvements. Each Fall, as guidelines and procedures are revised, changes will be shared with members prior to submission to the MCOA Board of Directors for final approval before end of year.

### **Concept Agreement – Minimizing Member Cost**

To minimize costs and save time, applicants to the ARB are encouraged to present pictures, sketches, or drawings of the proposed project to help the ARB understand the scope, magnitude, and orientation to property setbacks and legal property lines. The ARB recommends submitting these documents, for ARB review, before engaging professional services. Upon review of the submitted information, the ARB may vote to issue “Concept Agreement.” Concept Agreement indicates to the owner that the ARB has

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no real concern with the information provided, allowing the owner to engage professional services for the development of more formal plans. Concept Agreement is NOT project approval. The approval of a project by the ARB can only be provided after the receipt and review of an application and required supporting information/documentation or final architect/engineer drawings/plans in the case of a new home or addition.

The ARB will require that plans for new home construction be prepared and signed by a South Carolina licensed architect.

The ARB will accept plans for additions, or exterior renovations that are signed by a South Carolina licensed architect OR engineer.

Applicants should refer to the specific application forms and “checklist” in the appendix of this document for the specific documentation required for each application. Incomplete applications will result in delayed reviews and approvals. To facilitate a timely review and approval, applications need to be complete and accurate, and include, but not limited to, the following:

1. Completed and legible application form. Whenever possible, please complete the form electronically using the auto-fill tool and submit to the ARB Administrator.
2. Detailed plans and descriptions that demonstrate the scope of the improvement. This can be accomplished in one of three ways:
  1. A plan or diagram that is not prepared and signed by a South Carolina licensed engineer or architect can be used to facilitate the discussion with the ARB for Concept Agreement.
  2. A plan or diagram for new home construction, that has been prepared by a South Carolina licensed architect for submission during the approval process.
  3. A plan or diagram for additions or major exterior renovations that has been prepared by a South Carolina licensed engineer or architect for submission during the approval process.
3. Colors and materials as applicable.
4. An as-built survey, if applicable, with improvements clearly indicated on the survey, and drawn to scale, including dimensions of the improvements and distances to the property and setback lines.

Members contemplating any exterior improvements are encouraged to contact the ARB during the initial phases of application development.

### **Definitions of Terms Used Within the ARB Guidelines and Procedures**

- **ARB Administrator:** The ARB Administrator manages the daily operations of the ARB, serving as the primary contact for members on architectural and landscaping matters. Responsibilities include receiving and processing applications, coordinating ARB meetings, maintaining records, communicating decisions and ensuring compliance with approved plans in accordance with MCOA’s governing documents and design standards.
- **Administrative Staff:** Personnel working directly or indirectly for the General Manager responsible for handling various administrative tasks such as managing correspondence, maintaining records, processing payments, reviewing tree removal requests and facilitating communication between residents, the MCOA Board of Directors and external parties.

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- **Expedited Review:** A review process conducted by the ARB chair and ARB Administrator that expedites the review and approval of certain projects following the receipt of an appropriate application and supporting documents/information, outside the routine ARB meeting approval process. Projects that may be considered under Expedited Review, include exterior painting, roof replacement, driveway repair or modification (i.e. addition of pavers) within the current driveway footprint, front door replacement or color change. In addition, items previously approved by the ARB, pending additional information, may be finalized through the Expedited Review Process. The ARB Chair reserves the right to take applications to the ARB for discussion when it's believed by the Chair that further discussion is warranted.
- **As-Built Survey:** A comprehensive assessment and documentation of existing structures and improvements on a property, prepared by a licensed South Carolina surveyor, conducted post-construction to verify compliance with approved plans, and to ensure alignment with MCOA regulations and standards. As-built surveys carry official seals from the surveyor and the county. As-Built surveys may be available by contacting the ARB Administrator. If the office does not have an as-built survey on file, the member is responsible for contacting a surveyor.
- **Common Property:** Property owned by the MCOA, and accessible for shared use such as right of ways, parks, recreational facilities, or green spaces. Infringement on common property is never permitted. Anything beyond simple trimming or pruning any vegetation on common property, requires review and written approval from MCOA. The ARB Administrator can be contacted for direction in these matters.
- **Edging:** Edging is different from pavers, which can be walked or driven on, and is typically a hardscape (stone/brick). Edging yards, beds and/or trees involves creating distinct boundaries between different areas of landscaping using material to enhance aesthetics, define borders and to prevent the encroachment of grass or weeds.
- **Fencing:** For this document, fencing is defined as a barrier, railing, or other upright structure, typically of wood, wire, wrought iron, enclosing an area (a pool, for example) of ground to mark a boundary, control access or prevent escape.
- **Fire Pit:** An outdoor structure designed for recreational use, providing a contained area for open fires, adhering to safety regulations and guidelines.
- **General Manager:** The individual responsible for overseeing day-to-day operations, Administration, and management of the Association, including implementing policies, coordinating maintenance activities, and serving as a liaison between members and the MCOA Board of Directors.
- **Hardship:** Circumstances related to hardship (medical or special needs) will be considered by the ARB in their assessment of specific requests. It should be noted that once the hardship resolves, the project that was approved because of the hardship (such as an access ramp or fence), must be removed. Hardships would be considered resolved upon the sale of the property - i.e. the fence would need to be removed prior to the sale of the property.

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- **Landscape:** Refers to the visible features of a property including grass, trees, bushes, and flowers.
- **Mature Tree Management:** Mature tree management involves sustainably maintaining the health, safety, and aesthetic value of established trees, including practices such as pruning, disease prevention, and structural support.
- **Owner:** As defined in the Covenants, and “Owner” is the record owner of real property located in Moss Creek as determined by the records in the Office of the Register of Deeds for Beaufort County.
- **Pavers:** Pavers are durable, often interlocking units made from concrete, stone, or brick, used for creating hard surfaces such as patios, walkways, or driveways.
- **Plat:** Refers to a designated area of land within the community, often outlined in architectural plans or surveys, which may encompass individual lots, common areas, or other defined areas governed by MCOA’s regulations and procedures. Note: A plat diagram is different from an as-built survey.
- **Property line:** Denotes the legally defined boundary separating individual lots or parcels of land within the community, delineated in MCOA’s governing documents, and subject to regulations regarding property use and maintenance.
- **Property set-back:** Refers to the mandated distance between a structure and the property boundary line, established by MCOA’s governing documents to regulate the placement of structures, and to maintain aesthetic and safety standards within the community. Variances can be granted by the ARB for setbacks, but not for property lines.
- **Residential Construction:** Refers to the process of building or renovating single family homes, condominiums, or other dwellings, adhering to MCOA’s architectural guidelines, regulations, and aesthetic standards.
- **Variance:** An exception to a rule or regulation, under a defined circumstance. A variance does not change or impact the existing rule or regulation as written and does not set a precedent for future considerations. A variance applies only to Moss Creek and does not supersede any official building codes. Variances to existing Covenants cannot be approved by the ARB or MCOA Board of Directors.
- **Vegetative Protection:** Refers to “temporary” protection provided to specific vegetation on a member’s property to provide protection against deer, rabbits, etc.
- **Vertical Construction:** Defined as any element of a project that is 18 inches or more above existing grade.
- **Water feature:** Defined as lakes, ponds, lagoons and wetlands which provide stormwater detention and retention, provide golf course water hazards or enhance residential views.

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- **Yard Structure:** Refers to physical elements positioned within an outdoor space including pathways, fences, patios, decks, large border materials and other built or natural elements that contribute to the overall design and functionality of a yard. Yard structures also include basketball goals, swing sets, gazebos, fountains, pergolas, hot tubs, etc.

## Part II

### **Moss Creek Community Pride Program - Enforced by MCOA Administration**

To preserve the character of the community, Covenants and the ARB guidelines were developed to establish standards for privately owned property. The focus of the program is preservation of the natural beauty of the community, while establishing property maintenance standards for private residences and undeveloped home sites. Every Owner benefits from these standards, and all have an obligation to abide by community rules, regulations, and ARB guidelines.

In addition to ARB guidelines (see Part III of this document), the ARB also partners with Moss Creek Administration on the Community Pride Program as defined in Part II of the document. The purpose of the Community Pride Program (CPP) is to educate and encourage Owners to maintain their property and to uphold the standards outlined for maintaining home sites and undeveloped lots. The CPP focuses on 5 specific areas:

- Buildings, driveways, walkways and roofs
- Gardening Equipment
- Play Equipment
- Service Areas
- Yard Areas

To ensure adherence to these standards, inspections are performed by MCOA Administrative staff twice during the calendar year, once in the Spring and again in the Fall. Owners will receive notice in advance of inspections by the administrative staff, providing the opportunity to “self-assess” and maintain your property prior to inspections.

#### **Authority**

To achieve the purpose of the CPP, the ARB has assigned responsibility to MCOA Administration to identify and enforce community regulations and ARB guidelines related to property maintenance as outlined in the following:

- Covenant: Article VI, Section 8 - Rules and Regulations
- Covenant: Article IX, Section 8 - Unclean or Unkempt conditions
- Covenant: Article IX, Section 10 - Lot maintenance
- Covenant: Article IX, Section 16 - Satellite Dishes
- Covenant: Article XVIII, Section 3 - Enforcement

#### **The “3 E’s” to Implementation**

Administration, working in partnership with the ARB, has established a 3-step process to ensure owner awareness and compliance.

1. The first step is EDUCATION. This step is to ensure that Owners are informed of what the ARB guidelines or MCOA Covenants, rules and regulations require. To assure this step, MCOA Administration provides education of Owner roles and responsibilities, as well as conducts property inspections twice a year for unclean and/or unkempt residences and surrounding

properties. Periodic reminders on various topics are also covered in the monthly “Advocate” and/or weekly in “Next Week at the Creek.”

2. The second step is ENCOURAGE. If step 1 does not result in compliance to the guidelines and procedures, the Owner will be notified by mail/email of observed non-compliances, and encouraged to act, reminding them of their responsibility as an Owner and to the community.
3. The last step is ENFORCEMENT. If, after receiving the written notice from Administration, if the infraction(s) has/have not been corrected within the specified timeframe, the Owner may be fined according to the schedule established in this document and/or compliance deposits made may be forfeited in whole or in part, if applicable.

## **Moss Creek Property Owners Responsibility**

Owners are ultimately responsible for being aware of the ARB guidelines and procedures that they acknowledged and agreed to support upon becoming a Moss Creek Owner. As such, Owners are responsible for ensuring that their land (including unimproved lots) and/or home complies with these directives. MCOA Administration will follow ARB directives and their intent in the implementation of the CPP. However, if there are cases where compliance to Moss Creek Guidelines and Procedures cannot be achieved through the “3 E’s” defined above, additional steps, including fines and/or deposit forfeiture in whole or in part, if applicable, can be administered to compel compliance.

### **Buildings, Driveways, Walkways and Roofs**

It is in every Owner’s best interest to preserve and extend the life of their property. To protect the property values of all owners, while enhancing the appearance of Moss Creek, Owners need to ensure that their houses, driveways, and walkways are free of excessive discoloration and/or staining, and well-maintained, with an emphasis on repair and replacement of wood rot, peeling paint, and broken or damaged pavement. Seasonal pollen presence is not considered discoloration. Collection of debris on the roof can lead to staining and discoloration and can reduce its life span. As such, Owners should take steps to remove leaves and pine straw accumulation that can cause discoloration and roof surface deterioration.

It is the responsibility of all Owners to maintain their property in such a manner that it remains in sound structural condition and is free of visible landscape overgrowth or building material deterioration.

### **Gardening Equipment**

Maintaining a neat and orderly appearance outside the home promotes the look of Moss Creek. Any equipment used for gardening, including, but not limited to, tools, debris containers/trash cans, fertilizer, and soil bags, must be promptly cleaned up and stored out of sight after use.

### **Play Equipment**

Play equipment in the yard should be positioned in such a manner as to not be a nuisance to neighbors. Play equipment includes items such as basketball goals, swing sets, bicycles, trampolines, etc. Bicycles must be stored out of sight when not in use. Play equipment installed on any part of the property must have approval from the ARB prior to installation. An application form is available in the appendix of this document.

## Service Areas

Fuel tanks, HVAC units, trash cans, etc. must be screened from view with a fence enclosure (service yard) of sufficient height as to hide these items. Window a/c units, if used, must be screened from view from both the street and the golf course.

## Yard Areas

- Must be maintained consistent with neighborhood properties:
  - Grass should be regularly cut during the growing season and kept free of debris.
  - Bushes/shrubs should be trimmed as required so as not to become overgrown or unsightly.
  - Ground cover can consist of pine straw and/or mulch in plant beds and areas of the yard where grass will not grow. Fallen leaves are an acceptable ground cover so long as the areas are otherwise properly maintained, including seasonal weeding and trimming. The use of rock as a ground cover requires ARB approval.
- Owners are responsible for maintaining common areas that abut their property and can be **reasonably maintained**. Likewise, Owners of undeveloped properties are responsible for maintaining their property (excessive undergrowth, fallen trees, limbs and branches).
- Stone edging location and placement requires approval from the ARB.
- Yard debris pick-up: Follow the schedule and timing published in “Next Week at the Creek.”

## Enforcement and Fine Collection – Community Pride Program

To maintain a community that is aesthetically pleasing, operationally effective, and focused on the preservation of natural beauty, the MCOA Covenants and ARB guidelines establish property maintenance standards for private residence and undeveloped home sites. Fines may be necessary for violation of standards and are viewed as a last resort. It is the intent of the ARB and MCOA Administration to work with Owners, in a cooperative manner, to ensure a mutually satisfactory outcome.

Procedure for enforcement and the collection of fines:

1. Reminder Letter- The Administration office will generate a letter/email advising the Owner of the specific area(s) of non-compliance, reminding the Owner of their responsibility to comply with ARB guidelines. Owners are provided 30 days to address the deficiency before proceeding to the next step. If additional time is required, it is the responsibility of the Owner to contact the Administration office in writing requesting an extension.
2. Site Visit - At the end of 30 days (or the timeframe agreed to) the Administrative team will perform a follow-up inspection. If the issue has not been addressed, a fine may be assessed to the Owner per the schedule included in this document. If the issue was corrected, the file is closed, and a letter/email will be sent to the Owner thanking them for their support.

## **Appeals – Community Pride Program**

With each fine letter issued, Owners will be notified of their right to appeal the fine within 30 days of the date on the notice. MCOA Administration will handle Owner requests for additional time to correct issues on a case-by-case basis. If deadlines are not met and the Owner does not work in good faith to resolve the issue, additional fines may be issued.

For fines related to CCP violations, the first level of appeal is a hearing with the General Manager. If the General Manager is unable to resolve the issue, the Owner may request a hearing before the MCOA Board. The Owner must attend each hearing to discuss amicable resolutions. Decisions by the MCOA Board are final.

## **Fines and Penalties – Community Pride Program**

Any Owner or resident found to be in violation of the Community Pride Program, will be notified in writing of the offense and will be required to correct the violation by a specific date, or risk incurring a fine of up to \$1,000 (depending on the violation).

MCOA Administration will follow the procedures laid out in this program.

- If the issue has not been corrected at the end of 30 days (or the time frame agreed to), the Owner will be notified in writing of a fine to be applied to their member account.
- The Owner will be given an additional 30 days to correct the issue or risk a second fine.
- If all previous steps fail to correct the situation, MCOA shall seek legal guidance and consider requesting the Owner to participate in alternative dispute resolution (arbitration or mediation) to resolve the dispute.
- Should financial penalties and any alternative dispute resolution, if any, prove ineffective, MCOA may commence legal proceedings at law or in equity seeking court action to restrain the violation, for authorization to enter the Owner's property to correct the violation or to recover damage, pursuant to the MCOA Declaration of Covenants.
- All expenses incurred by MCOA related to correcting the violation and compelling compliance will be charged to the Owner's account.

## Part III

### Section 1: ARB Purpose and Authority

The purpose of this document is to detail the guidelines and procedures to be followed by the Moss Creek ARB pursuant to MCOA Board of Directors direction. The ARB operates according to the MCOA Covenants Articles IX, X, XI, XII, XIII, XV, XVIII, MCOA Guidelines and procedures, Appendix 1 Declaration. The ARB reserves the right to final inspection upon notice of completion and/or Certificate of Compliance (see Part V Form, Certificate of Compliance p.51).

### Section 2: Exceptions and Variances

*Definition of Variance: An exception to a rule or regulation, under a defined circumstance. A variance does not change or impact the existing rule or regulation as written and does not set a precedent for future considerations. A variance applies only to Moss Creek ARB Guidelines and does not supersede any official building codes. Variances to existing Covenants cannot be approved by the ARB or MCOA Board of Directors.*

The ARB is authorized, but not obligated, to grant exceptions or variances to these guidelines and procedures, provided that such exceptions/variances are within the intent and purposes of these regulations and the Articles of Architectural Control contained in the MCOA Amended and Restated Declaration of Covenants, Conditions and Restrictions.

#### **All variance requests must be filed with and approved by the ARB.**

Each request will be reviewed on a case-by-case basis. The ARB is not authorized to consider any applications for variances on common property, or those that extend beyond a member's legal property line.

Variances are not routinely granted. A variance will be considered: 1) on a hardship basis, 2) under circumstances that deprive the owner of the ordinary use and enjoyment of his/her property, or 3) where the variance will result in an improvement to the property and neighborhood. Inconvenience is not a cause to grant a variance.

Variances granted on a hardship basis shall only remain in effect for as long as the hardship persists, or if requested by the ARB to be removed. Any approval of a variance based on hardship shall be conditioned upon and memorialized by a written agreement signed by the applicant recorded in the Beaufort County Register of Deeds Office including the requirements as to removal. Please see Section 3 for hardship definition. Removal is at the applicant/member's expense. Prior to granting a request for a variance, the ARB will contact adjoining property owners with written notice of the applicant's request and provide a 10-working-day opportunity for response. If no response is received, the ARB may assume there is no objection to the request and will consider the variance.

### Section 3: ARB Scope and Building Permits

The ARB is responsible for the review and approval or disapproval of all plans and details submitted for structures, landscaping, drainage, additions, alterations or changes to existing structures or

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land/landscaping. It is the responsibility of the applicant, or the applicant's agent, to contact the building permit office in Beaufort to determine if a building permit is required for the planned work. Members are encouraged to visit the Beaufort County building permit website to determine what forms pertain to what project. Information from the County can be found at:

<https://www.beaufortcountysc.gov/building-codes/forms-and-applications.html>

Once the county permit is obtained (if deemed necessary by the County), the applicant can obtain a Moss Creek building permit by showing the County permit at the Administration office.

*Both permits (County and Moss Creek) should be displayed so that they are readily visible from the street until the final approval is granted by the county inspector.*

*Project work should not start until both county and Moss Creek building permits have been secured and the applicable fees are paid to the Administration Office.*

Plans, once submitted, will be reviewed by the ARB and its architectural advisor, for compliance with applicable Covenants, guidelines, procedures and building codes. Proposals may be disapproved if, in the judgement of the ARB, plans are not in compliance with ARB guidelines and procedures, do not follow accepted good building practices, nor fit with the aesthetics of the neighborhood.

ARB approval of any application is dependent on the accuracy and completeness of the information submitted in the application. Incomplete or inaccurate applications will be returned for revision. If any application information is determined by the ARB to be inaccurate or incomplete after ARB approval, the ARB reserves the right to change its determination(s) and revoke the previous approval or to impose additional requirements.

Failure on the part of the applicant, or the applicant's agent, to implement ARB-approved changes in a manner consistent with the information set forth in the original application, or as modified and approved by the ARB, may result in the reversal of the ARB's approval requiring the applicant to remove any property changes that were implemented.

### **Section 4: Notification of Application Status**

Applicants will be notified via the email address provided on the application, of the status of an application, and via USPS, within 3 days following the ARB meeting in which the application was reviewed. A current email address must be submitted as part of the application process. Reasons for disapproval will be explained in the notification. All approvals are valid for one year from the date of issue - extensions available upon written request if justification is provided.

### **Section 5: The Appeal Process – ARB Guidelines**

The first level of appeal for ARB guideline violations (non-Community Pride Program), from an applicant or adjoining Owner, is a hearing with the ARB. The appeal will be included on an ARB meeting agenda based on when it is received. The applicant and/or adjoining owner will be notified when the appeal has been scheduled and is encouraged to attend the meeting.

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If the Owner is dissatisfied with an ARB hearing outcome, the Owner may request a meeting with the General Manager. If the General Manager is unable to resolve the issue, the applicant or adjoining Owner may request a hearing before the MCOA Board. The Owner must attend each hearing to discuss amicable resolutions. Decisions by the MCOA Board are final.

Such appeals must be in writing and received by the MCOA Administration office no later than thirty (30) days following the decision at the ARB's meeting. A letter of appeal should clearly state specifically why the applicant, or adjoining Owner, believes the ARB erred in its decision.

### **Section 6: Work Stoppage**

If it is determined that construction on any Moss Creek property is being conducted without required work permit(s) or in violation of the required submitted and approved plans, the ARB shall ask the General Manager to request a meeting with the Owner, and/or the Owner's agent, asking for project work to stop until all issues are resolved. Work stoppage shall remain in effect until the issue is resolved and a letter of acknowledgement from the General Manager has been issued.

The ARB shall review alleged violations of these guidelines and procedures and, if justified, recommend to the General Manager, sanctions or fines and penalties, defined in Appendix IV, to be assessed by the ARB.

### **Section 7: Enforcement and Fine Collection – ARB Guidelines**

To maintain a community that is aesthetically pleasing, operationally effective, and focused on the preservation of natural beauty, the Covenants and ARB guidelines establish property maintenance standards for private residence and undeveloped home sites. Fines may be necessary for violation of standards and are viewed by the ARB as a last resort. It is the intent of the ARB and MCOA Administration to work with Owners in a cooperative manner, to ensure a mutually satisfactory outcome.

Procedure for enforcement and the collection of fines:

1. **Reminder Letter-** The Administration office will generate a letter/email advising the Owner of the specific area(s) of non-compliance, reminding the Owner of their responsibility to comply with ARB guidelines. Owners are provided 30 days to address the deficiency before proceeding to the next step. If additional time is required, it is the responsibility of the Owner to contact the Administration office in writing to request an extension.
2. **Site Visit -** At the end of 30 days (or the timeframe agreed to) the administrative team will perform a follow-up inspection. If the issue has not been addressed, a fine will be assessed to the Owner per the schedule included in this document. If the issue was corrected, the file is closed, and a letter/email will be sent to the Owner thanking them for their support.

#### **7.1 Appeals – ARB Guidelines**

With each fine letter issued for ARB guideline violations, Owners will be notified of their right to appeal the fine. MCOA Administration will handle Owner requests for additional time to correct issues on a case-by-case basis. If deadlines are not met and the Owner does not work in good faith to resolve the issue, additional fines may be issued.

The first level of appeal is a hearing with the ARB. If the Owner is dissatisfied with an ARB hearing outcome, the Owner may request a meeting with the General Manager. If the General Manager is unable to resolve the issue, the Owner may request a hearing before the MCOA Board. The Owner must attend each hearing to discuss amicable resolutions. Decisions by the MCOA Board are final.

## **7.2 Fines and Penalties – ARB Guidelines**

Any Owner or resident found to be in violation of the ARB guidelines will be notified in writing of the offense and will be required to correct the violation by a specific date, or risk incurring a fine of up to \$1,000 (depending on the violation). Unresolved violations, within 30 days of the notice of a fine, will be elevated to the General Manager for discussion with legal counsel.

See Schedule of Fines in the appendix for further details.

MCOA Administration will follow the procedures laid out in this program.

- Failure to correct a violation by a required due date may result in up to a \$1,000 fine which would be charged to the Owner's monthly statement.
- If all previous steps fail to correct the situation, MCOA shall seek legal guidance and may consider requesting the Owner to participate in alternative dispute resolution (arbitration or mediation) to resolve the dispute.
- Should financial penalties and any alternative dispute resolution, if any, prove ineffective, MCOA may commence legal proceedings at law or in equity seeking court action to restrain the violation for authorization to enter the Owner's property to correct the violation or to recover damages pursuant to the MCOA Declaration of Covenants.
- All expenses incurred by MCOA related to correcting the violation will be charged to the Owner's account.

## **Section 8: Exterior Building Materials and Painting**

The use of plywood, composition board, vinyl, fiberglass, or metal for the construction of finished exterior walls is prohibited unless approved by the ARB. Solid cellular vinyl composite material may be approved for use in certain applications. Roofing materials may be wood shakes, wood shingles, asphalt shingles, slate, synthetic slate, tile, standing seam metal and other materials approved by the ARB. Roof vents and roof accessories should be located away from the front elevation and painted or stained to blend into the surroundings, when possible. Exposed finished chimney surfaces must be masonry for all new construction. Flue bonnets for prefab fireplaces must be concealed by an approved windscreen. Repairs to existing properties may be of similar kind materials or the Owner may request a change to masonry materials.

The selection of exterior house color, trim and finish is critical to a home's appearance and that of the neighborhood that surrounds it. All exterior color and/or building material changes must be submitted to the ARB for review and approval prior to use. A representative paint sample (for example, from a paint color wheel or a paint sample strip) must be submitted with the application for ARB review and approval. Note that exterior colors should blend with the surrounding environment, and that earth tones and other natural colors are preferred. Exterior color choice should not be the same as the next-door neighbor's (except for the separate regimes of the Golf Cottages and Salt Marsh Cottages). Highly reflective colors and finishes will likely not be approved.

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Exterior material and/or color changes made without approval are subject to a fine and possible repainting as determined by the ARB. An "Application for Roofing and Exterior Paint" must be completed and submitted to the Administration office. Once received, the application will be added to the upcoming ARB agenda for discussion.

Interior renovations not affecting any exterior façade do not require ARB approval.

### **8.1 Demolition of Existing Structures**

An Owner desiring to remove an existing residential structure must obtain a Demolition Permit from Beaufort County and the Moss Creek Administration office prior to any demolition/removal work. The MCOA permit must be posted prior to demolition and will be valid for 30 days unless an extension is granted by the ARB.

All utilities shall be terminated at entry to the property prior to demolition including removal of buried propane tanks.

No trees or natural growth shall be removed unless approved by the ARB. Extreme care must be taken to avoid damage to remaining trees.

Protection of water features, marshes and adjacent property is required. The ARB may also require wood barrier fences around trees and silt fences to protect water features, marshes, golf courses, and adjacent properties.

All debris from demolition must be promptly removed from the community.

The lot must be restored to natural conditions by means of grading and ground cover within 30 days following the completion of demolition.

### **Section 9: Additions and Renovations**

Any additions and/or exterior renovations are subject to ARB review and approval prior to the start of any exterior work. Please refer to Part IV of this document for plan requirements and new construction procedures.

Such construction must meet the requirements for all the then-current applicable Beaufort County building codes. In any instance where MCOA standards applied to this type of construction are more stringent than those required by the county, MCOA standards shall govern.

Changes to the shape, style and size of windows and doors is considered an exterior change.

If a dumpster and or portable toilet are required on site, a Moss Creek building permit must be obtained. Failure to complete the project and remove the dumpster within one year may result in a fine of \$100 per month (Covenants, Article IX, Section 5).

The use of temporary storage units such as PODS, requires a Moss Creek permit and must be removed after 5 business days. If required, extensions can be granted by contacting the Administration office. Storage units must be placed on the Owner's property, preferably in the driveway, and not on neighboring or common properties.

The exterior of all houses and other structures for new construction, additions and renovations must be completed within one (1) year of the issuance of a Moss Creek building permit. Extensions available upon written request if justification is provided.

## **Section 10: Landscaping and Mature Tree Management**

Landscaping is an important part of the appearance of Moss Creek for new, existing, and renovated properties. ARB approval is required for new landscape plans or for modifications that change the design, layout or plant types. Like-for-like replacements such as replacing beyond dead bushes, grass/sod, seasonal flowers or existing shrubbery or bushes, etc., with the same type and size, do not require ARB approval. To better understand maintenance obligations on existing properties, refer to Moss Creek Owners Responsibility, of this document and the MCOA Covenants.

Landscape plans are an important part of a submittal to the ARB for new construction, and for modifications or changes to an existing property. The intent of landscape design is to be natural and informal causing lot lines to “disappear.” Hedge type plantings are to be avoided along and between properties, and along the golf course.

*Depending on the size of the landscape project (small), the ARB may accept an Owner-prepared landscape plan, after consulting with Moss Creek landscape consultant. Arrangements for a meeting with MCOA’s landscape consultant can be made through the ARB Administrator.*

*Landscaping should incorporate as much natural vegetation as possible.* Landscaping a property, beyond basic tasks such as removing dead bushes, replacing grass, planting seasonal flowers or small shrubs/bushes, and mulching, necessitates the submission of a professionally designed landscape plan that has been pre-approved by MCOA’s landscape consultant. The landscape plan must include a survey of the property, and a string should be pulled from corner to corner along the property line(s), remaining in place until the landscape project has received final approval from the ARB. Prior to starting an approved landscape project, adjoining neighbors will be contacted by the ARB Administrator as a courtesy, informing them of the pending work.

Landscape plans will be on file in the Administration Office for review.

Under certain situations where new landscaping changes lot contour, or has the potential to redirect shed water distribution, a professionally developed drainage plan will be required by the ARB. Under no circumstances shall fill dirt be brought onto a property without the submission and approval of a professionally developed drainage plan.

Landscape plans approved by the ARB are subject to final inspection by an ARB representative to confirm that the plan was completed per the plan submitted.

*Statues, free standing trellises/fencing, sculptures, fountains, excessive use of flowerpots, and ornamental pieces that can be seen from the street or golf course require ARB or Administrative Review and approval prior to installation.*

Requests for the approval of artificial turf will be considered by the ARB on a case-by-case basis, pending the successful completion of the following criteria:

- All artificial turf must have the appearance of local natural grass.
- Samples of the proposed artificial turf must be presented to the ARB for review.

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- Proposed placement of artificial turf must be submitted on a property plat, showing the location of the turf in relation to setbacks and property lines, the shape of the proposed turf and the total square footage.
- Turf must be installed by a professional contractor who is certified by the turf manufacturer to complete the installation.
- The placement of the artificial turf (and flag stick if installing as a putting surface) must not be visible from the street, neighboring properties, golf course, pedestrian walkways/walking trails.

Plantings are required around the foundation of a residence. Please contact the ARB Administrator to arrange consultation with the Moss Creek landscape consultant for guidance on foundation planting. Evergreen plantings are preferred along the foundation, a minimum size of 3 gallon, adequately spaced and of sufficient height to cover the foundation within a reasonable period (1-2 years after planting).

An “Application for Landscaping” must be completed and submitted to the Administration office. Once received, the application will be added to the upcoming ARB agenda for discussion.

**10.1 Landscape Screening for Pools and Hot Tubs**

Applications for pools and hot tubs must include landscape plans reviewed and approved by Moss Creek’s landscape consultant. Pools and hot tubs must be screened from view with shrubbery that remains green year-round. A landscape plan must be included as part of the pool or hot tub installation application and is subject to approval by the ARB. Shrubby shall be planted within 30 days following the completion of the pool or hot tub installation. Failure to comply may result in fines and forfeiture of construction deposits. Refer to Covenants, Article X, Sections 1 and 4 regarding landscaping on golf fairway residential areas and planting that might impede play of a ball that is NOT out of bounds.

**10.2 Mature Tree Management**

Mature tree management is essential because trees are an integral part of community aesthetics. Moreover, trees provide a natural habitat for birds and other wildlife as well as flood management and erosion protection for the community.

*No tree six inches or more in diameter, measured at 5 feet off the ground, may be removed without prior approval from the ARB. Please complete and submit the form “Tree Removal Request” to the Administration office. Once received, your application will be reviewed by MCOA management.*

Following the approved removal of a tree, the stumps must be ground down below grade, or otherwise removed so that no stump is left behind after removal.

Specimen Tree Categories

| Category | Type  | Species  | Specimen Status   |
|----------|---|--|---|
| I        | Broad-leaved Evergreen<br>Overstory Hardwoods and<br>Endangered Species     | Spruce Pine, Bald Cypress,<br>Southern Magnolia, American<br>Holly, Live Oak   | Eighteen-inch (18”) DBH or<br>high wildlife habitat or<br>aesthetic value     |
| II       | Deciduous Over story<br>Hardwoods and Broad-leaved<br>Evergreen Under story | Red Maple, Mockernut<br>Hickory, Southern Red Oak,<br>Yellow Poplar, Sweet Gum | Twenty-four-inch (24”)<br>DBH or high wildlife habitat<br>or aesthetic value. |
| III      | Cone Bearing Evergreens   | Long Leaf Pine, Short Leaf<br>Pine, Loblolly Pine, Southern<br>Red Cedar       | Twenty-four-inch (24”)<br>DBH or high wildlife habitat<br>or aesthetic value. |

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|    |                             |  |  |
|----|-----------------------------|--|--|
| IV | Ornamentals Including Palms | Sabal Palmetto, American Plum, Eastern Redwood, Flower Dogwood | High wildlife habitat or aesthetic value |
|----|-----------------------------|--|--|

The following rules apply to specimen tree preservation:

- Specimen trees, as defined above, shall be identified on site plans submitted for review by the ARB. The approximate drip line of specimen trees must be shown by a heavy dashed line on the site plan.
- Healthy specimen trees shall not be removed without prior ARB approval.
- The ARB may require replacement for any healthy specimen tree which is approved by the ARB for removal.

The following rules apply to specimen tree removal:

- It is understood that Owners will need to remove trees from time-to-time for various reasons.
- Owners are permitted to remove specimen trees after going through the appropriate tree removal process.
- Specimen trees removed from a member’s property must adhere to the specimen tree removal process managed by Beaufort County. In some cases, it is unlawful to remove specimen trees.
- Specimen trees, as defined in this document, other trees with a diameter of 6 inches or more, and trees that are diseased, dying or dangerous (dangerous includes a threat to the home or a neighbor’s home), may be removed from a member’s property after obtaining the required approvals from ARB/Administration, and a tree removal permit from the Administration office. Unapproved/unauthorized removal of Specimen and other protected trees is subject to the fines in the table of “Schedule of Fines” in the appendix of this document.

**Section 11: Service Yard Enclosures**

Service yards and their enclosures are required for all homes, and are to be used to enclose utilities (electrical service), garbage containers, HVAC equipment, water softeners, pool equipment, propane tanks, lawnmowers, etc. The service yard structure must be constructed within setbacks. Service yard enclosures shall be constructed of materials and of linear dimensions appropriate to the size and structure of the dwelling, the property area, and the style and character of the surrounding neighborhood. Please note that certain neighborhoods (Stable Gate) have standards for service yard enclosures that are available for review through the Administration office. Changes or modifications to service yards require ARB approval prior to changes. An “Application for Yard Structure or Fencing” must be completed and submitted to the Administration office. Once received, the application will be added to the upcoming ARB agenda for discussion.

**Section 12: Outdoor Structures - Deck, patios, etc.**

For this document, outdoor structures include, but not be limited to the following:

- Statues, trellises, fountains, sculptures
- Basketball goals, swing sets, trampolines, playhouses
- Decks, gazebos, pergolas, shade sails
- Patios
- Fire Pits

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- Hot Tubs
- Compost Bins
- Other recreational additions
- Permanently installed cooking and/or refrigeration equipment

Yard Structures, such as those listed above, require ARB approval prior to installation. Proposed features must be described and located on the as-built survey, compatible with the overall property landscaping, and not “out of place” when compared to the surrounding neighborhood.

Except for flag poles, yard structures, once approved, should be in rear or side yards, and screened from adjacent properties, street and golf course when possible.

Wood-burning fire pits and outdoor fireplaces must adhere to local fire regulations with respect to combustible materials.

All yard structures must be located within the building setbacks unless otherwise approved by the ARB.

Shade sails, once approved by the ARB, are encouraged to be affixed to posts, not to trees or other natural landscaping.

The appropriate form, either “Application for Yard Structure or Fencing” or “Application for Decks, Stairs, Patios, Pergolas, etc.,” must be completed and submitted to the Administration office. Once received, the application will be added to the upcoming ARB agenda for discussion.

**Section 13: Lighting - Landscape, Safety and Security**

Moss Creek is a low-light community. All exterior lighting requires ARB approval prior to installation, with the goal of minimizing light pollution, not negatively impacting wildlife, nor disturbing neighbors. The design and location of all exterior lighting must be shown on the site or landscape plan with photos and details about the proposed fixtures, including watts or lumens. The lighting plan should indicate up or down lighting.

**Five Lighting Principles for Responsible Outdoor Lighting**

Source: Darksky Initiative

|                                     |                 |  |
|-------------------------------------|-----------------|--|
| Responsible Outdoor Lighting<br>Is: | 1. Useful       | <b>Use light only as needed.</b> All light should have a purpose. Consider how the use of light will impact the area, including wildlife and their habitat.                                |
|                                     | 2. Targeted     | <b>Direct light so it falls only where it is needed.</b> Use shielding and careful aiming to target the direction of the light beam.   |
|                                     | 3. Low Level    | <b>Light should be no brighter than necessary.</b> Use the lowest light level required.  |
|                                     | 4. Controlled   | <b>Use light only when it’s needed.</b> Use controls such as timers or motion detectors to ensure that light is available when it’s needed, dimmed when possible, and off when not needed. |
|                                     | 5. Warm Colored | <b>Use warm color light when possible.</b> Limit the amount of shorter wavelength (cool/cold) to the least amount needed.  |

## What To Look for When You Shop for Lights

*You used to look for*

*Now you look for*

| Watts    | Incandescent | Lumens- (Brightness) | CFL        | LED         |
|----------|--------------|----------------------|------------|-------------|
| 150 watt | 150 watt     | 2600                 | 32-35 watt | 25-28 watt  |
| 100 watt | 100 watt     | 1600                 | 23-26 watt | 16-20 watt  |
| 75 watt  | 75 watt      | 1100                 | 18-22 watt | +13 watt    |
| 60 watt  | 60 watt      | 800                  | 13-15 watt | 8-12.5 watt |
| 40 watt  | 40 watt      | 450                  | 9-11 watt  | 6-9 watt    |

The ARB reserves the right to conduct an inspection of the final installation to ensure compliance with submitted site plans and the requirements for exterior lighting. An “Application for Landscaping” must be completed and submitted to the Administration office. Once received, the application will be added to the upcoming ARB agenda for discussion.

Exterior lighting shall be low voltage, diffused, and non-glaring. Exterior lights should be on a timer or manually switched off by 11:00 PM, with some exceptions (visitors, early departure, etc.).

If approved, string lighting may be used, but only in the rear of the property and only along the perimeter of a deck or patio area.

Security flood light installation is permitted following approval by the ARB. Security flood lights must activate via motion detector and automatically shut off within 5 minutes of activation. Security flood lights must be positioned toward the ground, not parallel to the ground so as to not shine lights into neighbors’ windows.

Seasonal lighting for Halloween, Christmas and other celebrations is permitted. Holiday lights can be placed outdoors 30 days prior to the holiday and must be removed within 30 days following the holiday. The ARB will notify owners whose decorations or audio are a disturbance to neighbors.

### Section 14: Patio Home Privacy Walls

Patio walls and privacy walls shall be within the setbacks unless approved by variance from the ARB. Patio walls and privacy walls shall complement the style, color and character of the surrounding neighborhood. Where existing structures are adjacent to the proposed site, applications will be reviewed on a case-by-case basis to maintain consistency within the surrounding area. Please note that certain neighborhoods (Stable Gate) have standards for privacy walls that are available for review through the Administration office. Patio and privacy wall modifications require prior ARB approval.

### Section 15: Fencing

Fencing within Moss Creek is strongly discouraged to maintain the open aesthetic of Moss Creek. The ARB is responsible for the review of any fencing request in Moss Creek. No fencing is to be installed without ARB approval. Requests for fencing must include justification for the fence, such as hardship. The definition for hardship can be found under “Definitions” in Part I and further explained under

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Section 2. Applications for fencing based on hardship may be granted for the duration of the hardship and must be removed once the hardship resolves.

Pool fencing shall be installed within the immediate area of the pool. Pools proposed for new construction should be designed so the pool and any fencing are within required setbacks.

Vegetative protection for the exclusion of pests (foraging deer), should blend into the surrounding area as much as possible and be limited to "as much as needed and as little as possible." Vegetative protection is subject to inspection during the bi-annual Community Pride Program inspections.

An "Application for Yard Structure or Fencing" must be completed and submitted to the Administration office. Once received, the application will be added to the upcoming ARB agenda for discussion.

Lot perimeter fencing and/or driveway and walkway access barriers (gates) are prohibited as is above ground electric fencing.

Dog runs of any kind are prohibited.

Application for fencing must demonstrate on an as-built survey that the proposed location of the fence meets the setback requirements defined in Section 16 "Setback Minimums" below.

For the containment of pets, invisible pet fence is encouraged. Property line fencing is prohibited. Fencing shall be permitted where required by law (around a pool) or upon application to the ARB, wherein the applicant demonstrates a compelling need for fencing and the request meets the following criteria:

- Fencing must be within all applicable setbacks.
- Fencing materials and color must be approved by the ARB.
- Fencing will be screened by evergreen vegetation covering at least 50% of the fence at time of planting as determined by the size and spacing of the individual plantings.

Application for fencing will not be approved until adjacent Owners have received written notice of such application by the ARB and provided a 10-day opportunity to provide written comment back to the ARB.

### **Section 16: Building and Other Structure Setbacks**

Owners are responsible for obtaining an as-built survey for their property to ensure that setback and property line compliance are based on an official document. Administration may have a copy of a previous as-built survey available for the Owner. Minimum setbacks are generally measured from the property line to any vertical construction (building line of residence, bays, decks, or service yard enclosures). For this document, vertical construction is defined as any element of a project that is 18 inches or more above grade. Rear setback distances are those distances from any vertical construction to the rear property line, the "survey control line," or the current Ocean and Coastal Resource Management (OCRM) critical line, whichever is most restrictive. Swimming pools and patios are subject to the same setbacks required for vertical construction. Exceptions will be considered for ground level installations. Note: Setback distances from an OCRM Critical Line may also require Beaufort County approval and proof of such approval must be provided to the ARB. No structure is allowed within 5 feet of the property line unless specifically approved.

**Setback Minimums**

|   | Front  | Side       | Rear            |       |      |
|---|--|------------|-----------------|-------|------|
| Full Size Lots  | 30'  | 20'        | 30'             |       |      |
| Driveways   |  | 5'         | 30'             |       |      |
|   | Floor  | Patio Wall | Opp. Patio Wall | Front | Rear |
| Patio Lots  | 1 <sup>st</sup>  | 1'         | 3'              | 15'   | 20'  |
|   | 2 <sup>nd</sup>  | 1'         | 13'             | 15'   | 20'  |
|   | Garage   | 1'         | 3'              | 3'    | 20'  |
| Driveways   |  | 1'         | 3'              |       |      |
| <i>Note: Roof and/or gutter encroachments into sideline setbacks will be limited to ten inches (10").</i> |  |            |                 |       |      |
| Royal Pointe Lots   | Specific variances will be considered based on lot size and configuration, contingent on Beaufort County approval. |            |                 |       |      |

**Section 17: Driveways, Parking Areas, and EV Stations**

Driveway and parking areas require an approved hard surface (for example: cement, pavers, asphalt), unless otherwise approved by the ARB. Please refer to Section 22 for additional requirements on driveway changes. Modifications or changes to driveways and parking areas require prior ARB approval. An “Application for Driveway Changes” must be completed and submitted to the Administration office. Once received, the application will be added to the upcoming ARB agenda for discussion. Replacement of driveways that have become cracked or broken, but maintain the current “footprint,” can use the Expedited Review process for review and approval.

For full size lots, a garage or carport is required, and must provide shelter for at least one car, with non-covered guest parking areas for at least 2 additional cars. For Patio lots, a non-covered parking area for at least 2 cars is required, although a garage or carport is more appropriate for either or both parking spaces.

**17.1 Electric Vehicle Charging Stations**

Applications to install electric vehicle charging stations located outside a residence must be submitted to the ARB for review and approval.

Electric vehicle charging stations are to be designed in compliance with all applicable state and local building standards and codes, and installed by a qualified, licensed electrician in a manner consistent with all applicable health and safety standards and requirements imposed by state and local authorities, and all other applicable zoning, land use, or other ordinances, or land use permits.

**Section 18: Screened Enclosures, Patios, Decks, Carolina Rooms, etc.**

Screening an existing structure, or the construction of a new screened area requires the approval of the ARB prior to implementation. Please refer to Part IV of this document for plan requirements and new construction procedures.

Dimensional drawings indicating height, width and length of the proposed structure as well as an as-built survey with the location of the proposed structure drawn at scale must be included with the application. All screened enclosures must be designed in a manner to incorporate elements of the existing residence (such as stucco, cedar, brick/stone) so that the screened structure is integrated into the existing architecture.

Pergolas or other similar sunshade structures are likely not to receive ARB approval, unless there is clear demonstration that the structure is anchored into or onto the patio or deck in such a way as to prevent the structure from becoming a hazard during strong winds or a storm. Applicable anchor and/or restraining straps that adhere to local building codes will be required.

Screened enclosure design must consider:

- Proximity to property lines and setbacks. The ARB is unable to grant a variance for encroachment onto property lines.
- Existing roof lines of the home compared to that of the screened structure.
- Anchor points to the ground/deck/patio and fascia sufficient to withstand sustained winds.
- Color and materials reviewed and approved by the ARB.
- Prefabricated screened enclosures may be considered, but only after ARB review and approval.

## **Section 19: Outbuildings**

Detached buildings are allowed in accordance with Article IX, Section 6, and Section 7 of the MCOA Residential and Governmental Covenants. Prohibited structures are described in Article IX, Section 23.

## **Section 20: Satellite Dishes and Antennas**

Installation of dishes and antennas require prior notification to the ARB, which shall include a detailed description of the intended placement of dishes or antennas and the manner of installation and screening. This requirement also pertains to exterior television antennas, radio receivers and similar devices, including Direct Broadcast Satellite Receivers. An "Application for Satellite Dish or TV Antenna" must be completed and submitted to the Administration office. Once received, the application will be added to the upcoming ARB agenda for discussion.

## **Section 21: Mailboxes, Address signs and driveway reflectors**

Mailbox and address sign installation and maintenance is performed by MCOA. Please contact the Administration office for support with both mailboxes and address signs (911 locators). Emergency vehicles now use GPS but MCOA will replace damaged address signs if requested.

Use of reflectors is managed by Administration. If used as driveway reflectors:

- Must be purchased from Administration at cost to ensure a compatible look throughout the community.
- Must be placed alongside the driveway and no closer than 2 feet from where the driveway meets the road.

- Two (2) reflectors may be purchased for each driveway entry.

Use of reflectors is managed by Administration. If used as border reflectors:

- May be borrowed from Administration for temporary use up to 90 days to provide opportunities to enable new plantings or sod to grow in and take root.
- Must be placed no closer than 1 foot from where the plantings or sod meets the road.

Reflector use is restricted to the above defined permanent or temporary basis and are not intended to define a property. Broader use requires Administration and/or ARB approval.

## **Section 22: Driveway and Roadside Drainage**

Applications for Driveway installation or modification, beyond existing footprint, must be submitted to the ARB for review and approval prior to the start of any work. Driveways (current and planned) in Moss Creek shall be designed to ensure the flow of stormwater in roadside drainage ways by use of paved swales, culverts, or trench drains that conform to the Moss Creek master drainage plan. Depending on the scope of the project, a drainage plan may be required. Moss Creek neither provides nor installs trench drains on Owners' properties. The Owner must notify MCOA not less than ten working days prior to the date of the intended driveway installation or modification, so that the elevations and construction methods can be determined and approved by the ARB. The proposed driveway should be staked out prior to notifying MCOA. When the driveway elevations have been established and/or a culvert has been installed, the driveway has been formed, graded and is ready to be paved or poured, the Administration office must be notified a second time so that a final inspection can be performed prior to paving/pouring. An "Application for Driveway Changes" must be completed and submitted to the Administration office. Once received, the application will be added to the upcoming ARB agenda for discussion.

For driveway installation related to new residential construction, please refer to Part IV, Section 1.5.B. for details and fee information.

## **Section 23: Lot Drainage**

The site plan for new construction or the construction of an addition to an existing residential property should clearly depict the proposed drainage pattern for the lot. It is the responsibility of the Owner, or Owner's agent, to ensure that grading the lot is accomplished in a manner which not only provides proper drainage of the property, but also prevents water flow onto adjacent lots. If run-off does occur onto adjacent lots, prompt action must be taken to correct the situation. A drainage plan for the lot must also be designed by a South Carolina licensed engineer or landscape architect. Implementation of the plan must be verified by the designer at the completion of the project and a copy of an approval letter from the designer provided to the ARB. Please refer to section 10 for additional direction and requirements for the development and submission of drainage plans.

## **Section 24: Storm Shutters**

Storm shutters are defined as operable window shutters, roll-up shutters, or removable fixed panels. All proposed installations of storm shutters, including plans, mounting details and material specifications/color shall be submitted for ARB approval. Fixed frames, header boxes, and panels shall

be painted to complement the house color. Operable window shutters in lieu of decorative fixed shutters may be painted in approved trim or accent color. For Owners installing hurricane shutters during the immediate time frame around a storm and removing them within fourteen days after the all-clear notice, any type of shutter is acceptable. For Owners who want to install storm shutters outside the time frame of a named storm, the shutters must be submitted to the ARB for approval.

## **Section 25: Swimming Pools**

Swimming pools and attendant facilities are subject to the same setback requirements as vertical construction elements and subject to ARB approval prior to construction. On-site disposition of all excavated material for a pool installation must be clearly indicated on a site plan submitted to the ARB for approval. Pool fencing, if required, must be approved by the ARB prior to installation, and comply with local government regulations. A professional landscape plan must be submitted and approved by the ARB, the intent of which is to soften the lines of the fence. Free-standing above ground pools are prohibited.

## **Section 26: Solar Panels**

Installation of solar panels requires prior ARB approval. Information submitted to the ARB must include system type, panel size, color, orientation, percent of reflectivity and anti-reflective coating. Panels and other outdoor energy devices shall be aesthetically compatible with Moss Creek building guidelines. The goal is to install panels and other outdoor energy devices in a way they blend into the natural environment as much as possible. No solar panel shall be approved by the ARB, or allowed to continue to be used that causes reflective light issues for neighbors. Solar panels shall be installed only on the roof of residences and shall, when possible, match the color of the roof shingles. No tree removal or major/large limb pruning/trimming is permitted for the purpose of solar panel installation without the prior approval of the ARB.

## **Section 27: Docks, Bulkheads and Sea Walls**

In no event shall MCOA or the ARB be responsible for any damages arising from the applicant's implementation of the plans approved by the ARB or for the ARB's Administration and/or enforcement of these guidelines and procedures.

Docks may be erected only by Owners of lots which have a property line located within fifty feet of a navigable tidal creek and with written approval of the ARB, local, state, and federal governing bodies as applicable.

Bulkheads and sea walls may be considered by the ARB in specific situations. Plans must be submitted to the ARB following approval from local, state, and federal governing authorities for review and final approval. Construction materials and details will be reviewed by the ARB on an individual basis. An "Application for Docks and Sea Walls" must be completed and submitted to the Administration office. Once received, the application will be added to the upcoming ARB agenda for discussion.

## **Section 28: Composting Bins**

The ARB, in conjunction with the MCOA Nature Club, supports the environmental benefits of community composting when conducted in a manner consistent with the methods and practices of the EPA. For more information, please see [www.epa.gov/recycle/composting-home](http://www.epa.gov/recycle/composting-home). Composting bins

should be in the service yard, or in rear or side yards, where such boxes are within the setback limits. Bins should be an earth tone color and screened from streets and adjoining properties.

## **Section 29: Water Feature Management - lakes, ponds, lagoons and wetlands**

Water features are defined as those bodies of water in Moss Creek which:

- Provide stormwater detention and retention.
- Provide golf course water hazards.
- Enhance residential views.

Natural vegetation plays a critical role in preserving the aesthetics and ecology of Moss Creek's storm water/pond systems. Creating buffers comprised of natural vegetation and/or a stand of grass, can provide a buffer that helps filter runoff entering the lake/pond/lagoon or wetland. Areas surrounding a water feature may be selectively trimmed, pruned or mowed by owners whose properties abut a water feature to maintain their appearance, functionality and to permit views, after receiving approval from the ARB. Clearing (not selective trimming) must be approved by ARB and once approved, must take place in late autumn or winter to minimize impact to nesting birds.

To conserve water features as defined above, the following guidelines are provided:

- When possible, maintain a 5-foot buffer of vegetation/grass. Patio lots will be addressed on a case-by-case basis as a 5-foot buffer may not be practical.
- The use of fertilizers and pesticides in a buffer zone is prohibited due to the potential impact on aquatic and wildlife.
- Unless specifically approved by the ARB for residential lots, creating bulk heads, riprap or grading is prohibited in the buffer zone.

**Part IV**

**NEW CONSTRUCTION, ADDITIONS and RENOVATIONS PROCEDURES & INFORMATION SUBMITTAL**

*Note: Information in Part IV, New Construction Procedures and Information Submittal should be viewed as complimentary to the information presented earlier in this document. Part IV contains requirements, guidelines, and procedures specific to new home construction and additions in Moss Creek.*

**1.1 Residential Construction**

Such construction must meet the requirements for all the then-current applicable Beaufort County building codes. In any instance, where MCOA standards applied to this type of construction are more stringent than those required by the county, MCOA standards shall govern.

**1.2 Moss Creek Village and Other Property Construction**

Site design and development standards must meet the requirements set forth in the then current Beaufort County Development Standards Ordinance. In any instance where MCOA standards applied to this type of construction are more stringent than those required by the County, MCOA standards shall govern. Other applicable requirements may be by contractual agreement.

**1.3 Minimum Heated Square Footage for Structures**

|                    |   |
|--------------------|---|
| Full Size Lots:    | 2200 sf (Where not restricted by deed requirements.)  |
| Peninsula Lots:    | 2800 sf Lot Nos. 812-861<br>2200 sf Lot Nos. 862-898  |
| Patio Lots:        | 1200 sf (Vertical structures under roof shall not exceed fifty percent (50%) of the total sf of the lot.)                     |
| Royal Pointe Lots: | 1800 sf (Specific variances will be considered based on lot size and configuration, contingent upon Beaufort County approval) |

**1.4 Exteriors**

Exteriors must be completed within one (1) year. The exterior of all houses and other structures for new construction, additions, and renovations must be completed within one (1) year after the issuance of a MC building permit (Covenants, Article IX, Section 5).

**1.5 Construction Practices and Submitted Information**

1. The steps of the plan review process, following Concept Agreement (See Part I, section Concept Agreement, if applicable) and the necessary information for each are:
  - A. Preliminary Review (required)
    - (1) Site Plan
    - (2) Floor Plan
    - (3) Exterior Elevations
    - (4) Special Construction Conditions
    - (5) Variance request (if applicable)
    - (6) Plan Submittal Fee

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B. Final Review and Approval (required)

- (1) Site Plan
- (2) Drainage Plan
- (3) Floor Plan
- (4) Exterior Elevations
- (5) Typical Wall Section(s)
- (6) Exterior Details
- (7) Exterior Electrical Plan
- (8) Exterior Materials and Colors
- (9) Landscape Plan

C. Additions and modifications to existing structures require the same procedures and information outlined in A and B above. Depending upon the scope of the project, some information listed may not be needed or appropriate. Specific requirements will be given upon request.

D. The MCOA ARB does not provide certified copies of plats or plat information. Such copies or information may be obtained from the Beaufort County Court House.

2. Following are steps required before a Moss Creek building permit will be issued and any lot clearing/construction or tree removal can begin:

- A. Rough stake-out of the structure.
- B. Mark trees to be removed with red tape. The trees marked on site must agree with the approved site plan.
- C. Install specimen tree barricades and side property line fences. Call for inspection.
- D. Pay all fees and deposits.
- E. Provide a copy of the Beaufort County building permit.
- F. Provide a copy of the MCOA Letter of Understanding.

Before placing concrete, batter boards or form boards must be inspected and approved. A foundation survey prepared by a South Carolina licensed surveyor is required.

### **1.6 Lot Drainage for New Construction**

The site plan should clearly depict the proposed drainage pattern for the lot. It is the responsibility of the Owner, or his agent, to ensure that grading of the lot is accomplished in a manner which not only provides proper drainage of the property but also prevents water flow onto adjacent lots. If run-off does occur onto adjacent lots, prompt action must be taken to correct the situation. A drainage plan for the lot must also be designed by a South Carolina licensed engineer or landscape architect. Implementation of the plan must be verified by the designer at the completion of the project and a copy of an approval letter from the designer given to the ARB.

**1.7 Foundations for New Construction**

For all home construction, concrete slabs with integral perimeter footings placed on fill are permitted only when the finished floor elevation does not exceed two feet (2') above the existing elevations of the building site at any point on the perimeter of the slab. For patio home garages or carports, the finished floor elevation must not exceed one foot (1') above existing grade elevations. The ARB will consider written requests for special permission to construct concrete slabs with integral perimeter footings where the finished floor elevation at any point on the perimeter of the slab is more than two feet (2') above existing grade. Specific requirements will be furnished upon receipt of a request. For crawl space construction, careful attention must be given to the location, size, and detail of foundation wall and hydrostatic ventilation. Excess fill dirt must be removed from site upon completion of foundation.

**1.8 Fees and Deposits for New Construction/Additions**

The ARB shall collect the following fees and deposits for all construction in Moss Creek and other areas under its jurisdiction:

1. Fees:

A. On submittal of plans:

| Type of Construction  | Amount   |
|---|----------|
| New Residence   | \$ 1,500 |
| Major Additions (2 or more rooms)                               | \$ 750   |
| Minor Additions (1 room, garage, pool, decks, docks, bulkheads) | \$ 300   |
| Multi-Unit Commercial   | \$ 3,750 |
| Single-Unit Commercial  | \$ 2,250 |
| Commercial Additions  | \$ 1,500 |

B. New Drainage/Driveway:

|                                     |          |
|-------------------------------------|----------|
| Full size lot (2 or more curb cuts) | \$ 1,800 |
| Full size lot (1 curb cut)          | \$ 1,500 |
| Patio Homes & Royal Pointe          | \$ 1,200 |

*NOTE: The above fees cover the costs for all work on common property performed by MCOA, in conformance with Moss Creek's master drainage plan, including street-side sodding and inspection of culvert installation.*

C. Water/Sewer Tap Charges: As established by Water Oak Utility

D. Reroofing/Repainting: No fee

E. Tree Removal: No fee for trees approved for removal that are dead, dying or in a dangerous condition. See Section 10 of these Guidelines.

F. Moss Creek permit fee for all construction projects not listed in 1. A-E above: \$35.00

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2. Deposits:

A. Compliance and landscape:

| Type                                 | Amount   |
|--------------------------------------|----------|
| Full size lots                       | \$ 5,000 |
| Patio and Royal Pointe lots          | \$ 4,000 |
| Covered Additions, docks & bulkheads | \$ 3,000 |
| Non-covered Additions                | \$ 2,000 |
| New Commercial                       | \$ 6,000 |
| Commercial additions                 | \$ 4,000 |

B. Special Slab Construction: \$ 2,500

C. Well drilling: \$ 500 (for use with closed water source HVAC systems only)

D. Residential structure demolition: \$ 5,000

E. Refunds will be made:

(1) After an on-site inspection confirms:

- a. Satisfactory completion in conformity with approved plans of the building, lot drainage, landscaping, and clean-up of the property.
- b. Repairs to damaged road pavement, paths, and adjacent properties have been made; and

(2) Upon delivery to the ARB of:

- a. An as-built survey and, if necessary, as-built plans.
- b. Color photographs of front, rear and side elevations (new residence or new commercial) or specific addition(s)/changes.
- c. Certificate of Compliance (see Appendix page 48).
- d. Copy of Beaufort County Certificate of Occupancy.
- e. Compliance documentation from Water Oak Utility.
- f. Elevation certificate (if applicable).
- g. Inspection report by drainage professional (if applicable).

(3) Refunds may be forfeited, and fines may be issued:

- a. If, upon expiration of the 1-year Moss Creek building permit, items listed in Section E. (1) and (2) have not been satisfactorily addressed, the refund may be forfeited by notice from the ARB.
- b. For each 30-day period post expiration date of the Moss Creek building permit, in addition to forfeiture of the compliance deposit, the ARB may assess additional fines of up to \$100 per month until all items have been addressed.

F. Special slab construction deposits will be refunded upon satisfactory completion of all requirements pertaining to the slab.

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- G. Well-drilling deposits will be refunded upon completion and clean-up around each well and receipt by the ARB of a South Carolina Department of Health and Environmental Control (SCDHEC) Certificate.
- H. Deposits shall be held in a special escrow account and will be returned only when conditions and circumstances cited herein are met. All or any portion of the deposits may be withheld to ensure compliance with these requirements.
- I. In the event a re-inspection is required because of non-compliance with approved plans (house, landscape, drainage, etc.), an additional fee of \$100 per inspection will be withheld from the deposit.

**1.9 Construction Plan Requirements**

1. All construction plans and data required for approval shall be prepared by a South Carolina licensed architect for new home construction, and by a South Carolina licensed architect OR engineer for additions and structural modifications, and shall be of sufficient detail and clarity to accurately portray the proposed project. No existing design or element of a design will be considered as precedent for any future repetition by another Owner. At a minimum, each plan required for the appropriate step in the review process must convey the information outlined below. Plans must be submitted on 24" x 36" sheets prepared as described below. Digital copies of all plans must be submitted in PDF format in addition to hard copies. The Owner's name must be shown on all construction plans. The architect, engineer, lot number, and location must be shown on all construction plans. Application forms must be completed as necessary for each step.

A. Preliminary Review (required)

|                          |   |
|--------------------------|---|
| 1. Site Plan:            | 1/8"=1' scaled drawing prepared on a survey of the property with all existing and proposed tree and topographic data; outline of the structure and all other vertical construction elements with setback dimensions from property lines, OCRM critical line (South Carolina DHEC's office of Ocean and Coastal Resource Management) (if applicable); finished floor elevation(s); roof plan, walks, driveways, decks, patios, swimming pools, outlines of adjacent structures, proposed drainage patterns, and all other salient features, views, etc., both on and around the lot. |
| 2. Floor Plan:           | 1/4"=1' scaled drawing complete with all decks, patios, pools, stairs, service yards, windows, doors etc.   |
| 3. Exterior Elevations:  | 1/4"=1' scaled drawings of all four elevations including an accurate indication of existing and final grades at the perimeter of the structure, all vertical construction elements, and a maximum height dimension from existing grade or flood plain.  |
| 4. Special Construction: | Unusual site conditions which may affect the structure Conditions: or its location on the site must be graphically presented.   |

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B. Final Review and Approval (required)

|                              |  |
|------------------------------|--|
| 1. Site Plan:                | Same as A (1) above.   |
| 2. Drainage Plan:            | <ul style="list-style-type: none"> <li>A separate plan indicating all fill and grading, designed by a South Carolina licensed engineer or landscape architect, superimposed on a site plan. Refer also to Section 23 of these Guidelines.</li> </ul>   |
| 3. Floor Plan:               | Same as A (2) with both construction dimensions and heated and unheated square footage indicated.  |
| 4. Exterior Elevations:      | Same as A (3) with any non-typical hidden elevations shown.  |
| 5. Typical Wall Section(s):  | All sections necessary, including unusual foundation conditions, patio walls, etc., to indicate construction details.  |
| 6. Exterior Details:         | All exterior elements of the design not shown by B (5) above.  |
| 7. Exterior Electrical Plan: | All proposed exterior lighting including swimming pools.   |
| 8. Ext. Materials/Colors     | All exterior elements of different materials and/or colors must be identified by name on a front elevation to clearly depict the proposed color scheme. May be included with B (4) above. In addition, 3" x 3" minimum size samples of all key materials and colors, properly labeled and affixed to a white 8 1/2 " x 11" maximum size foam core board, are to be provided. Major colors must be actual samples. Minor colors may be printed samples. Paint and stain samples from wood color fans are acceptable. Maximum overall thickness of board plus samples, to be no greater than 1/2." |
| 9. Landscape Plan:           | Refer to the Landscape Section of these Guidelines and consult with Moss Creek's landscape consultant as necessary.  |

2 Plan Approval:

Construction plans shall be deemed to be approved when an approval has been granted by the ARB in writing and signed by that person given authority to do so by the ARB. Plans may be granted an approval, be denied an approval, or tabled for further discussion and receipt of additional information requested by the ARB until the next scheduled ARB meeting.

Plan approval will remain valid for a period of one year after the date of such approval. If construction has not commenced within this time frame the approval process must be repeated, and another ARB submittal fee paid.

3. Notification:

In addition to Owner notification, adjoining Owners will be notified of a proposed plan for new construction, or an addition to an existing structure, including fence installation. Notification will be provided in writing via U.S. mail, and notice will also be sent via email for Owners who have an email address on file with MCOA. Email addresses and addresses for receiving U.S. mail as provided by the member and included in the official records of the Association shall be considered valid addresses.

Such adjoining Owners shall have ten (10) days from date of the letter/email of notification to inspect the plans at the offices of Moss Creek Owners Association ("Association") and to make an

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objection. If the adjacent Owner has an objection to the plans, the objection must be made in writing via email or U.S. mail and addressed to the Association's ARB Administrator, whose address shall be the same as the Association. If an adjoining Owner makes no written objection to the plans or fails to provide such an objection within the ten-day time period referenced above, the adjoining Owner shall be deemed to have no objection to the plans.

The basis of any objection made to the construction plan by an adjoining Owner shall be considered by the ARB, but such objection shall not necessarily be a reason not to grant approval.

#### 4 Appeal to ARB:

If the ARB denies a construction plan request and the applicant, or an adjoining Owner, believes the ARB failed to follow the procedural rules with respect to required notification of the Owner or adjoining Owners, either the applicant or the adjoining Owner can appeal the decision.

The first level of appeal is a hearing with the ARB. If the Owner is dissatisfied with an ARB hearing outcome, the Owner may request a meeting with the General Manager. If the General Manager is unable to resolve the issue, the applicant or adjoining Owner may request a hearing before the MCOA Board. The Owner must attend each hearing to discuss amicable resolutions. Decisions by the MCOA Board are final.

Such appeals must be in writing and received by the MCOA Administration office no later than fourteen (14) days following the ARB's initial action. A letter of appeal should clearly state specifically why the applicant, or adjoining Owner, believes the ARB erred in its decision to not approve the plans as submitted.

The appeal will be included on an ARB meeting agenda based on when it is received. The applicant will be notified when the appeal has been scheduled and is encouraged to attend the meeting.

## 2.0 Building Instructions

During the course of construction, the Owner, the Owner's agent, and/or the contractor will be responsible to abide by the following:

1. No clearing or construction work is to begin before a Moss Creek building permit has been issued by the ARB.
2. String lines placed along side and rear property lines shall remain in place until construction is completed. In addition, side property line and specimen tree barricades must be installed at the time of stake out and shall remain in place until construction is completed.
3. Adjacent lots and/or common property shall not be used for the storage of materials, vehicle parking, or access to the construction site.
4. Building sites shall be maintained in an orderly condition.
5. A large trash container/dumpster is required and will be provided by the contractor for scrap material and building debris and other bulk trash items. The overflow or spillage around these containers is to be picked up daily. They shall be promptly removed from the job site when full. Dumpsters must be screened from the street and/or golf course with green mesh, lattice or other non-vision material. Screening must be maintained in good condition.

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6. Porta-potties are to be provided for the convenience of workers and should be placed so that the doorway will not front on the street or other public view. They should be placed a minimum of ten feet (10') inside of the property lines unless otherwise approved. Porta-potties must be screened from the street and/or golf course with green mesh, lattice or other non-vision material. Screening must be maintained in good condition.
7. Loud and offensive noise will not be permitted. The playing of radios is permitted provided the sound does not carry beyond the boundaries of the building under construction.
8. Contractors, sub-contractors, material suppliers and/or their respective employees who use a vehicle for access to the job site are required to either purchase a contractor daily or annual pass for admittance into the community. An annual pass may be purchased at the Administration office, and daily passes are available at the Security Gatehouse.
9. Construction workers are not permitted to fish or hunt or use any amenities in Moss Creek.
10. Construction work is permitted from 7:00 a.m. until 6:00 p.m. Saturday work is permitted, except when a holiday falls on Saturday. No work is permitted on Sundays.
11. Notify WOU when lateral locations and/or tap-ins are needed. A three-day advance notice is required.
12. Contractor's and Architect's Signs: Small signs not exceeding four square feet may be placed at the street side of the site for job identification purposes only. At the completion of the job, signs are to be promptly removed. No other signs are permitted.
13. No burning of trash or fires of any kind is permitted.
14. Any trees lost due to construction damage within one year after construction shall be replaced by one tree for each lost tree. Size, species and location will be recommended by the ARB for final decision by the Board.
15. MCOA must be notified when driveway elevations are needed. A ten-day advance notice is required.
16. No clearing of any kind is to be done on the banks of lagoons and marshlands or beyond property or survey control lines in these areas except in conformity with an approved landscape plan, and consistent with previous language in Section 29.
17. Vehicles, equipment and trailers cannot be left on job sites overnight.
18. It shall be the responsibility of the general contractor or the Owner, as applicable, to ensure that all persons working on a construction project in Moss Creek are both informed of and familiar with the ARB Guidelines and Procedures.
19. In the event of an impending storm, all construction materials on site must be removed or secured.

**Part V - Appendix**

**FORMS, CHECKLISTS, DECLARATION PAGE – Pages 38-52**

An ARB application must accompany each request for exterior construction and modifications. Please select the appropriate application from the following forms. Each application includes a checklist of items required for ARB review. If you have any questions, please contact the Administration office.

*In no event shall MCOA or the ARB be responsible for any damages arising from the applicant's implementation of the plans approved by the ARB or for the ARB's Administration and/or enforcement of these guidelines and procedures.*

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**Moss Creek Owners Association  
Application for Decks, Stairs, Patios, Pergola, etc.**

***\*Return this application and required checklist items to the MCOA Administration office. No work is to be started without written approval from the ARB.***

|  |   |
|--|---|
| <b>Application Date:</b>   |   |
| <b>Anticipated Start Date:</b>   |   |
| <b>PROPERTY INFORMATION</b>  |   |
| Lot Number   |   |
| Property Owner Name  |   |
| Street Address   |   |
| Phone Number   |   |
| Email Address  |   |
| Does this project require a variance?  |   |
| <b>If project will be completed by a contractor, please provide contractor information below</b> |   |
| Company Name   |   |
| Address  |   |
| Phone number   |   |
| Email address  |   |
| Note   | Beaufort County requires handrails for decks 30 inches or more above grade. A county permit is required for most deck projects. |
| <b>Project Details</b>   |   |
|  | Please provide as much detail about your project as possible  |
| <b>Material</b>  | Material Type<br>(Wood, Cement, Composite, metal)   |
|  | Color   |
|  | Handrail material and color, if required  |

Application Checklist - please attach the following items to this application:

- As-Built Survey indicating property lines and setbacks
- Diagram of structure (deck, patio, etc.) location on as-built survey demonstrating structure is within property lines. If structure extends beyond set-back, please include on application a request for a variance
- Elevation drawing(s) showing the design and how it relates to the existing residence
- Copy of building permit issued by Beaufort County (if applicable)
- Spec sheets or samples of railing and decking materials
- Landscape plan, if required, to conceal framing, foundation, etc.
- A stake out for a site inspection may be required for deck additions

**Moss Creek Owners Association  
Application for Docks and Seawalls**

**\*Return this application and required checklist items to the MCOA Administration office. No work is to be started without written approval from the ARB.**

|  |  |
|--|--|
| <b>Application Date:</b>                                     |  |
| <b>Anticipated Start Date:</b>                               |  |
| <b>PROPERTY INFORMATION</b>                                  |  |
| Lot Number   |  |
| Property Owner Name  |  |
| Street Address   |  |
| Phone Number   |  |
| Email Address  |  |
| Does this project require a variance?                        |  |
| <b>Please provide contractor information below</b>           |  |
| Company Name   |  |
| Address  |  |
| Phone number   |  |
| Email address  |  |
| Note   | <i>Docks may be erected only by owners of lots which have a property line located within fifty feet of a navigable tidal creek and with written approval of the ARB, local, state, and federal governing bodies as applicable.</i> |
| <b>Project Details</b>                                       |  |
| Please provide as much detail about your project as possible |  |
| <b>Materials</b>   | Material Type  |
|  | Color  |
|  | Specifications   |
|  | Any auxiliary devices such as a dock lift?   |

Application Checklist - please attach the following items to this application:

- As-Built Survey indicating property lines, setbacks and proposed location of dock or sea wall
- Drawings prepared by a licensed architect or engineer
- Copy of OCRM (Oceans and Coastal Resource Management) permit
- Copy of building/zoning permit(s) issued by Beaufort County (if applicable)
- Spec sheets and samples of materials or auxiliary devices
- Landscape plan, if applicable

**Moss Creek Owners Association  
Application for Driveway Changes**

***\*Return this application and required checklist items to the MCOA Administration office. No work is to be started without written approval from the ARB.***

|                  |       |              |
|------------------|-------|--------------|
| <b>PROPERTY</b>  |       | <b>DATE:</b> |
| Lot Number       |       |              |
| Property Address |       |              |
| Property Owner   |       |              |
| Phone Number     | Email |              |
|                  |       |              |

|   |  |
|---|--|
| <b>CONTRACTOR INFORMATION</b>   |  |
| Name  |  |
| Address   |  |
| Phone Number  |  |
| Email   |  |
|   |  |
| <b>Detailed description of proposed changes:</b>  |  |
| <i>Attach a current site plan or as-built survey indicating the location of the driveway relative to property lines and setback lines</i> |  |
| <b>TYPE OF SCREENING (if applicable)</b>  |  |
| *NOTE: Driveway parking pads may require additional screening.  |  |

Application Checklist – please attach the following items to this application:

- Site plan or survey with location of driveway addition or material changes indicated
- Spec sheet showing details and colors of proposed material changes
- Photographs of existing driveway
- Details on proposed screening or landscaping (if applicable)

**Moss Creek Owners Association  
Application for Landscaping**

**\*Return this application and required checklist items to the MCOA Administration office. No work is to be started without written approval from the ARB.**

|  |   |  |
|--|---|--|
| <b>Application Date:</b>   |   |  |
| <b>Anticipated Start Date:</b>   |   |  |
| <b>PROPERTY INFORMATION</b>  |   |  |
| Lot Number   |   |  |
| Property Owner Name  |   |  |
| Street Address   |   |  |
| Phone Number   |   |  |
| Email Address  |   |  |
| <b>Landscape Architect/Designer</b>  |   |  |
| Company Name   |   |  |
| Address  |   |  |
| Phone number   |   |  |
| Email address  |   |  |
| <b>If project will be completed by a contractor, please provide contractor information below</b> |   |  |
| Company Name   |   |  |
| Address  |   |  |
| Phone number   |   |  |
| Email address  |   |  |
| Note   | Plans will first be reviewed by MCOA's landscape consultant.              |  |
| <b>Detailed Description of project:</b>  |   |  |
|  | Yes/No  |  |
| <b>Landscape plan</b>  | Any landscape lighting to be added?                                       |  |
|  | Any trees to be removed?  |  |
|  | Any hardscape to be added?  |  |
|  | Any yard ornaments to be included?  |  |
|  | Do you plan to bring in fill dirt or change the contour of this property? |  |

Application Checklist – please attach the following items to this application:

- Landscape plan prepared on a site plan showing location of all existing and proposed plantings and ground cover
- Plant list with physical size, number and generic names of all proposed plantings and ground cover
- Specific details on any lighting fixtures, hardscape, yard ornaments and location indicated on the landscape plan
- Photos of the existing area for proposed changes

**Moss Creek Owners Association  
Application for Roofing and/or Exterior Painting  
Exterior Doors or Window Changes**

***\*Return this application and required checklist items to the MCOA Administration office. No work is to be started without written approval from the ARB.***

|  |                        |                        |
|--|------------------------|------------------------|
| <b>Application Date:</b>   |                        |                        |
| <b>Anticipated Start Date:</b>   |                        |                        |
| <b>PROPERTY INFORMATION</b>  |                        |                        |
| Lot Number   |                        |                        |
| Property Owner Name  |                        |                        |
| Street Address   |                        |                        |
| Phone Number   |                        |                        |
| Email Address  |                        |                        |
|  |                        |                        |
| <b>If project will be completed by a contractor, please provide contractor information below</b> |                        |                        |
| Company Name   |                        |                        |
| Address  |                        |                        |
| Phone number   |                        |                        |
| Email address  |                        |                        |
|  |                        |                        |
|  | <b>EXISTING COLORS</b> | <b>PROPOSED COLORS</b> |
| <b>Project Details</b>   |                        |                        |
| <b>Roof</b>  | Material               |                        |
|  | Manufacturer           |                        |
|  | Color                  |                        |
| <b>Exterior Paint</b>  | Siding color           |                        |
|  | Trim Color             |                        |
|  | Shutter Color          |                        |
|  | Front Door Color       |                        |
|  | Stucco/Foundation      |                        |
| <b>Other Exterior Doors<br/>Window Changes</b>   | Material               |                        |
|  | Color                  |                        |

Application Checklist – please attach the following items to this application:

- Pictures of existing exterior color(s) and/or roof color
- Sample(s) of proposed paint color for each color to be used
- Sample of proposed roof shingle color
- If roofing, copy of County Building Permit

**Moss Creek Owners Association  
Application for Satellite Dish or TV Antenna**

***\*Return this application and required checklist items to the MCOA Administration office. No work is to be started without written approval from the ARB.***

|  |  |       |  |  |
|--|--|-------|--|--|
| <b>PROPERTY</b>  |  | DATE: |  |  |
| Lot Number   |  |       |  |  |
| Property Address   |  |       |  |  |
| Property Owner   |  |       |  |  |
| Phone Number   |  | Email |  |  |
|  |  |       |  |  |
| <b>SYSTEM INFORMATION</b>  |  |       |  |  |
| System Contractor  |  |       |  |  |
| Antenna Size/Dimensions  |  |       |  |  |
|  |  |       |  |  |
| <b>LOCATION</b><br>(Description of antenna location)   |  |       |  |  |
| <i>*Attach a current site plan or as-built survey indicating the proposed antenna location</i> |  |       |  |  |
| <b>TYPE OF SCREENING (if applicable)</b>   |  |       |  |  |

Application Checklist – please attach the following items to this application:

- Site plan or survey with location of antenna indicated, and, if applicable, with dimensions to property lines and setback lines
- Spec sheet showing details and colors of proposed antenna
- Photograph of proposed location of antenna
- Specific details on how the antenna will be screened from view (if applicable)

**Moss Creek Owners Association  
Tree Removal Request**

**NOTE: MCOA approval is required for removal of any tree 6" or greater in diameter at breast height (DBH – 4'). Return this application to the MCOA Administration office. No work is to be started without an ARB permit.**

|  |         |                |                 |                    |
|--|---------|----------------|-----------------|--------------------|
| DATE:  |         | NAME:          |                 |                    |
| LOT NUMBER:  |         | PHONE NUMBER:  |                 |                    |
| PROPERTY ADDRESS   |         |                |                 |                    |
| <p><b>MCOA Management Staff, under the direction of the General Manager, has approval authority for trees that meet the following criteria:</b></p> <ol style="list-style-type: none"> <li>1. Requests for the removal of 5 or fewer trees</li> <li>2. Trees believed to be diseased, dying, dead or dangerous</li> <li>3. Trees within close proximity to a residence</li> <li>4. Other trees that do not meet the definition of "specimen" as outlined in <i>ARB Guidelines, Section 10</i></li> </ol> |         |                |                 |                    |
| <p>MCOA procedures require that any tree removal request which does not meet the above criteria, or in a case where the Management Staff declines approval and the Member still wishes to pursue removal, the request must be submitted for approval to the ARB. The ARB may require that a report from a credentialed arborist be submitted regarding the condition of the tree(s). <b><i>The cost of the arborist's report will be the responsibility of the applying Member.</i></b></p>              |         |                |                 |                    |
| <p>Note: The ARB has the latitude to extend the criteria for removal beyond the criteria above and can take into consideration an owner's assessment that the tree coverage in the owner's yard is too dense, too drab, or makes the property excessively dark.<br/> <b>Once a completed application and arborist's report is submitted, the request will be placed on the ARB agenda for their normal consideration and ruling.</b></p>   |         |                |                 |                    |
| <p>This Request is for (check one):      Management Inspection      <input type="checkbox"/>      ARB Approval      <input type="checkbox"/></p>   |         |                |                 |                    |
| <p>Number of Trees Requested for Removal: _____</p>  |         |                |                 |                    |
| How will trees be marked for inspection?   |         | Ribbon Color:  |                 | Other:             |
| <p>Description of each tree (attach sheet if additional space required):</p>   |         |                |                 |                    |
| Number   | Species | Trunk Diameter | Location on Lot | Reason for Removal |
| 1  |         |                |                 |                    |
| 2  |         |                |                 |                    |
| 3  |         |                |                 |                    |
| 4  |         |                |                 |                    |
| 5  |         |                |                 |                    |
| <p>Do any of the trees meet the criteria for "specimen" trees? (CIRCLE Yes or No)</p>  |         |                |                 |                    |
| <p>If yes, is arborist report attached (CIRCLE Yes or No)</p>  |         |                |                 |                    |
| For Office Use Only  |         |                |                 |                    |
| 1  |         |                |                 |                    |
| 2  |         |                |                 |                    |
| 3  |         |                |                 |                    |
| 4  |         |                |                 |                    |
| 5  |         |                |                 |                    |

**Moss Creek Owners Association  
Application for Well Drilling**

***\*Return this application and required checklist items to the MCOA Administration office. No work is to be started without written approval from the ARB.***

|                           |   |            |               |
|---------------------------|---|------------|---------------|
| HOUSING TYPE:             | NAME/ADDRESS OF PROPERTY OWNER:           |            | LOT NUMBER:   |
|                           |   |            |               |
| WELL LOCATION APPROVED:   |   |            | STREET & NO.  |
|                           | TEL:                                      | LICENSE #: |               |
| MOSS CREEK BLDG PERMIT:   | EMAIL:                                    |            |               |
|                           | NAME/ADDRESS OF CONTRACTOR DRILLING WELL: |            |               |
| DEPOSIT MADE:             |   |            |               |
|                           |   |            |               |
| DHEC CERT. OF COMPLIANCE: |   |            | SUBMITTED BY: |
|                           | TEL:                                      | LICENSE #: |               |
|                           | NAME/ADDRESS OF HVAC COMPANY:             |            |               |
|                           |   |            |               |
|                           | TEL:                                      | LICENSE #: |               |
|                           | COMMENTS:                                 |            |               |
| DEPOSIT REFUNDED:         |   |            | OWNER:        |
|                           |   |            |               |
|                           |   |            | BEGIN DATE:   |
|                           |   |            |               |
|                           |   |            | END DATE:     |
|                           |   |            |               |
|                           |   |            | WELL DEPTH:   |
|                           |   |            |               |

Application Checklist – please attach the following items to this application:

- Site plan or survey of the property showing the proposed location for the well
- Specifications on the water source heat pump system

**Note: Wells are only permitted for the installation of a water source heat pump system. Wells are not permitted for irrigation or other purposes.**

**Moss Creek Owners Association  
Application for Yard Structure and/or Fencing**

***\*Return this application and required checklist items to the MCOA Administration office. No work is to be started without written approval from the ARB.***

|  |  |       |  |  |
|--|--|-------|--|--|
| <b>PROPERTY</b>  |  | DATE: |  |  |
| Lot Number   |  |       |  |  |
| Property Address   |  |       |  |  |
| Property Owner   |  |       |  |  |
| Phone Number   |  | Email |  |  |
|  |  |       |  |  |
| <b>STRUCTURE INFORMATION</b>   |  |       |  |  |
| Type* (i.e. basketball goal, fence, service yard enclosure, fire pit, fountain, hot tub, outdoor kitchen)  |  |       |  |  |
| Size/Dimensions (attach catalog cut sheet or color photograph)   |  |       |  |  |
|  |  |       |  |  |
| <b>LOCATION</b>  |  |       |  |  |
| <i>Attach a current site plan or as-built survey indicating the location of the structure relative to property lines and setback lines.</i>                  |  |       |  |  |
| <b>TYPE OF SCREENING (if applicable)</b>   |  |       |  |  |
| <p>*NOTE: Yard structures may require additional screening.<br/> <i>See ARB Guidelines, Sections 11, 12 and 15 for more information on requirements.</i></p> |  |       |  |  |

Application Checklist – please attach the following items to this application:

- Site plan or survey with location of structure indicated with dimensions to property lines and setback lines
- Spec sheet showing details and colors of proposed structure
- Photographs of proposed area of installation
- Details on how the item will be screened
- Fence applications will require a landscape plan

**Moss Creek Owners Association  
Application for Residential Construction**

**\*Return this application and required checklist items to the MCOA Administration office. No work is to be started without written approval from the ARB.**

**FOR REVIEW BOARD USE ONLY**

|                    |  |   |  |  |  |
|--------------------|--|---|--|--|--|
| HOUSING TYPE:      |  | NAME/ADDRESS OF PROPERTY OWNER:   |  | LOT NUMBER:  |  |
| PRLIMINARY REVIEW: |  |   |  | STREET & NO.   |  |
| STAKE OUT:         |  | TEL:<br>EMAIL:  |  |  |  |
| BATTER BOARDS:     |  | NAME/ADDRESS OF ARCHITECT:  |  | LOT SIZE:  |  |
| FINAL APPROVAL:    |  |   |  | FULL PATIO <input type="checkbox"/>  |  |
| BLDG. PERMIT #s:   |  | TEL:  |  | SUBMITTED BY:  |  |
| Moss Creek County  |  | NAME/ADDRESS OF CONTRACTOR:   |  | DATE:  |  |
| FEES/DEPOSITS:     |  | CONTRACTOR'S S.C. LICENSE NUMBER  |  | LANDSCAPE PLAN:<br>YES <input type="checkbox"/> NO <input type="checkbox"/>      |  |
| Review             |  | DETAILED EXPLANATION OF ALL ASPECTS OF THE PROJECT:   |  | PLANS ARE:   |  |
| Compliance         |  |   |  | Conceptual <input type="checkbox"/>  |  |
| Drainage           |  |   |  | Preliminary <input type="checkbox"/>   |  |
| Foundation         |  |   |  | Final <input type="checkbox"/>   |  |
| C.O. Date:         |  |   |  |  |  |
| C.C. Date:         |  |   |  |  |  |
| REFUNDS            |  | EXCEPTION OR VARIANCE REQUESTED   |  | Note: Digital Plans must be submitted in .pdf format along with 1 hard copy set. |  |
| Compliance         |  | YES <input type="checkbox"/> NO <input type="checkbox"/> If yes, provide written request with explanation |  |  |  |

Application Checklist – please attach the following items to this application:

- Set of architectural plans prepared by a SC licensed architect (digital & hard copy). See ARB Guidelines & Procedures Part IV for specific requirements
- Landscape and drainage plans (if applicable)
- Color/material board for final review (if applicable)
- Photos of the existing structure or lot
- A stake out of the proposed structure for a site inspection may be required
- A copy of the Beaufort County building permit

MOSS CREEK OWNERS ASSOCIATION, INC.

| Page 2: APPLICATION FOR RESIDENTIAL CONSTRUCTION                               |                  |                          |                             |
|--|------------------|--------------------------|-----------------------------|
| 1. Has a structure been previously constructed from these plans in Moss Creek? | YES              | <input type="checkbox"/> | NO <input type="checkbox"/> |
| 2. Is this construction for speculative purposes?                              | YES              | <input type="checkbox"/> | NO <input type="checkbox"/> |
| 3. What is the BFE requirement for the lot?                                    |                  |                          |                             |
| 4. What is the finished floor elevation? (in feet above MSL)                   |                  |                          |                             |
| 5. What is the HEATED AREA of this structure? (In sq feet)                     |                  |                          |                             |
| 6. What is the UNHEATED AREA of this structure? (In sq feet)                   |                  |                          |                             |
| 7. What is the DECK/TERRACE AREA of this structure? (In sq feet)               |                  |                          |                             |
| 8. What is the TOTAL SQUARE FEET (In sq feet) for this structure?              |                  |                          |                             |
| 9. Is a water source heat pump system being contemplated for this structure?   | YES              | <input type="checkbox"/> | NO <input type="checkbox"/> |
| 10. Is special slab construction being contemplated for this structure?        | YES              | <input type="checkbox"/> | NO <input type="checkbox"/> |
| 11. EXTERIOR MATERIALS:  |                  |                          |                             |
| Area   | Material & Color |                          |                             |
| BRICK:   |                  |                          |                             |
| SIDING:  |                  |                          |                             |
| STUCCO:  |                  |                          |                             |
| STUCCO TRIM & BANDS:   |                  |                          |                             |
| FOUNDATION VENT and/or LATTICE:  |                  |                          |                             |
| FASCIA:  |                  |                          |                             |
| WINDOW & DOOR TRIM:  |                  |                          |                             |
| COLUMNS & RAILINGS:  |                  |                          |                             |
| CORNER BOARDS OR WOOD BANDS:   |                  |                          |                             |
| FRONT DOOR:  |                  |                          |                             |
| GARAGE DOORS:  |                  |                          |                             |
| WINDOWS:   |                  |                          |                             |
| SHUTTERS:  |                  |                          |                             |
| SERVICE YARD:  |                  |                          |                             |
| ROOFING:   |                  |                          |                             |
| GUTTERS:   |                  |                          |                             |
| DRIVEWAY:  |                  |                          |                             |
| OTHER:   |                  |                          |                             |

**Moss Creek Owners Association  
Letter of Understanding**

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

The undersigned Owner, or Owner's Agent, and Contractor each hereby certifies to the Moss Creek Architectural Review Board (hereinafter "ARB") that the residential construction or alteration to be commenced at the above referenced location, and as more specifically set forth in the Application for Residential Construction submitted herewith, shall be undertaken and completed in accordance with the recorded Covenants running with certain lands in Moss Creek affecting such property, as amended to date, and in compliance with all the requirements of the current ARB Guidelines and Procedures

The undersigned each further acknowledges the receipt of copies of the Covenants and Guidelines and Procedures and hereby agrees to assume the responsibility of communicating the contents to all persons working on the project.

Upon completion of said construction or alteration, the Owner, Owner's Agent, and Contractor each shall deliver to the ARB a Certificate of Compliance certifying that said improvements have met all Guidelines and Procedure criteria.

The undersigned each understands and hereby acknowledges that if, upon final inspection by the ARB, the completed construction or alteration is not in compliance with the approved plans and specifications, or does not meet ARB Guidelines criteria, some or all of the deposits made with the application submitted herewith may be withheld or forfeited, in part or in their entirety, and/or fines issued, until such non-compliance is corrected and a Certificate of Compliance is re-submitted.

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

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

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

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

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

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

MOSS CREEK OWNERS ASSOCIATION, INC.

**Moss Creek Owners Association  
Certificate of Compliance**

The undersigned hereby certify to the Moss Creek Architectural Review Board that the building structure and other improvements situated at Lot No. \_\_\_\_\_ and street address \_\_\_\_\_ (has) (have) been (constructed) (altered) in accordance with the recorded Covenants running with certain lands in Moss Creek affecting such lot, as amended to date.

The undersigned further certify that the improvements have been constructed in accordance with the final plans and specifications heretofore filed with and approved by the ARB on \_\_\_\_\_; that the contractor and/or owner's agent executing this certificate has conducted a final inspection of the improvements; and that the improvements meet the guidelines, criteria and requirements set forth by the Architectural Review Board in its approval of the plans and specifications.

|   |  |                              |  |
|---|--|------------------------------|--|
| OWNER   |  | DATE                         |  |
| CONTRACTOR  |  | DATE                         |  |
| OWNER'S AGENT   |  | DATE                         |  |
|   |  |                              |  |
| Type of Improvement   |  | Moss Creek Building Permit # |  |
| Filed with and confirmed and accepted by the Moss Creek Architectural Review Board this _____ day of _____. |  |                              |  |
| <b>FINAL INSPECTION</b>   |  |                              |  |
| ARB Inspector   |  | DATE                         |  |
| Drainage Manager  |  | DATE                         |  |
| Landscaping Advisor   |  | DATE                         |  |
| ARB Advisor   |  | DATE                         |  |

**Moss Creek Owners Association  
Application for Commercial Construction/Signage**

***\*Return this application and required checklist items to the MCOA Administration office. No work is to be started without written approval from the ARB.***

|                    |                          |  |   |                          |
|--------------------|--------------------------|--|---|--------------------------|
|                    |                          | NAME/ADDRESS OF PROPERTY OWNER:                          | LOT NUMBER:   |                          |
| PRLIMINARY REVIEW: |                          |  | STREET & NO.  |                          |
| STAKE OUT:         |                          | TEL:   |   |                          |
|                    |                          | NAME/ADDRESS OF ARCHITECT:                               |   |                          |
| BATTER BOARDS:     |                          |  | <input type="checkbox"/>  |                          |
| FINAL APPROVAL:    |                          |  | SUBMITTED BY:   |                          |
|                    |                          | TEL:   |   |                          |
|                    |                          | NAME/ADDRESS OF CONTRACTOR:                              |   |                          |
| BLDG. PERMIT #s:   |                          |  | DATE:   |                          |
| Moss Creek         | <input type="checkbox"/> |  |   |                          |
| County             | <input type="checkbox"/> |  | LANDSCAPE PLAN:   |                          |
|                    |                          | TEL:   |   |                          |
| FEES/DEPOSITS:     |                          | CONTRACTOR'S S.C. LICENSE NUMBER                         | YES <input type="checkbox"/> NO <input type="checkbox"/>                                |                          |
| Review             | <input type="checkbox"/> | COMMENTS:  | PLANS ARE:  |                          |
| Compliance         | <input type="checkbox"/> |  | Conceptual  | <input type="checkbox"/> |
| Drainage           | <input type="checkbox"/> |  | Preliminary   | <input type="checkbox"/> |
| Foundation         | <input type="checkbox"/> |  | Final   | <input type="checkbox"/> |
|                    |                          |  |   |                          |
| C.O. Date:         | <input type="checkbox"/> |  | <i>Note: Digital Plans must be submitted in .pdf format along with 1 hard copy set.</i> |                          |
| C.C. Date:         | <input type="checkbox"/> |  |   |                          |
| REFUNDS            |                          | EXCEPTION OR VARIANCE REQUESTED                          |   |                          |
| Compliance         | <input type="checkbox"/> | YES <input type="checkbox"/> NO <input type="checkbox"/> |   |                          |

Application Checklist - please attach the following items to this application:

**Construction Checklist**

- Set of architectural plans prepared by a SC licensed architect
- Landscape and drainage plans (if applicable)
- Color/material board for final review (if applicable)

**Signage Checklist**

- Color rendering and detailed spec sheet of proposed sign
- Location site plan and/or photo

MOSS CREEK OWNERS ASSOCIATION, INC.

| Page 2 FORM A: APPLICATION FOR COMMERCIAL CONSTRUCTION                       |                  |                          |                             |
|--|------------------|--------------------------|-----------------------------|
| 1. Is this construction for speculative purposes?                            | YES              | <input type="checkbox"/> | NO <input type="checkbox"/> |
| 2. What is the BFE requirement for the lot?                                  |                  |                          |                             |
| 3. What is the finished floor elevation? (in feet above MSL)                 |                  |                          |                             |
| 4. What is the HEATED AREA of this structure? (In sq feet)                   |                  |                          |                             |
| 5. What is the UNHEATED AREA of this structure? (In sq feet)                 |                  |                          |                             |
| 6. What is the DECK/TERRACE AREA of this structure? (In sq feet)             |                  |                          |                             |
| 7. What is the TOTAL SQUARE FEET (In sq feet) for this structure?            |                  |                          |                             |
| 8. Is a water source heat pump system being contemplated for this structure? | YES              | <input type="checkbox"/> | NO <input type="checkbox"/> |
| 9. Is special slab construction being contemplated for this structure?       | YES              | <input type="checkbox"/> | NO <input type="checkbox"/> |
| 10. EXTERIOR MATERIALS:  |                  |                          |                             |
| Area   | Material & Color |                          |                             |
| BRICK:   |                  |                          |                             |
| SIDING:  |                  |                          |                             |
| STUCCO:  |                  |                          |                             |
| STUCCO TRIM & BANDS:   |                  |                          |                             |
| FOUNDATION VENT and/or LATTICE:  |                  |                          |                             |
| FASCIA:  |                  |                          |                             |
| WINDOW & DOOR TRIM:  |                  |                          |                             |
| COLUMNS & RAILINGS:  |                  |                          |                             |
| CORNER BOARDS OR WOOD BANDS:   |                  |                          |                             |
| DOORS:   |                  |                          |                             |
| WINDOWS:   |                  |                          |                             |
| SHUTTERS:  |                  |                          |                             |
| SERVICE YARD:  |                  |                          |                             |
| ROOFING:   |                  |                          |                             |
| GUTTERS:   |                  |                          |                             |
| DRIVEWAY:  |                  |                          |                             |
| SIGNAGE:   |                  |                          |                             |
| OTHER:   |                  |                          |                             |

MOSS CREEK OWNERS ASSOCIATION, INC.

DECLARATION

**WHEREAS**, the Board of Directors of Moss Creek Owners Association, Inc., (MCOA), in consonance with the Moss Creek Covenants, Article VII, Sections 1 and 2, has the right to review and control construction within Moss Creek; this right is vested in an Architectural Review Board (ARB) appointed by said MCOA Board, and upon terms and conditions adopted by said MCOA Board.

**NOW THEREFORE**, the MCOA Board of Directors vests in the ARB all authority pertaining to construction on Residential Lots within Moss Creek, and all construction in Moss Creek Village; and retains for itself all authority pertaining to structures on Common Property, Membership Common Property, and Restricted Common Property.

**NOW THEREFORE**, the Board of Directors, having reviewed and approved the ARB Guidelines and Procedures, as amended, on October 23, 2025, and do direct that such Guidelines and Procedures be implemented with an effective date established by the ARB, of January 1, 2026.

**MOSS CREEK OWNERS ASSOCIATION, INC.**

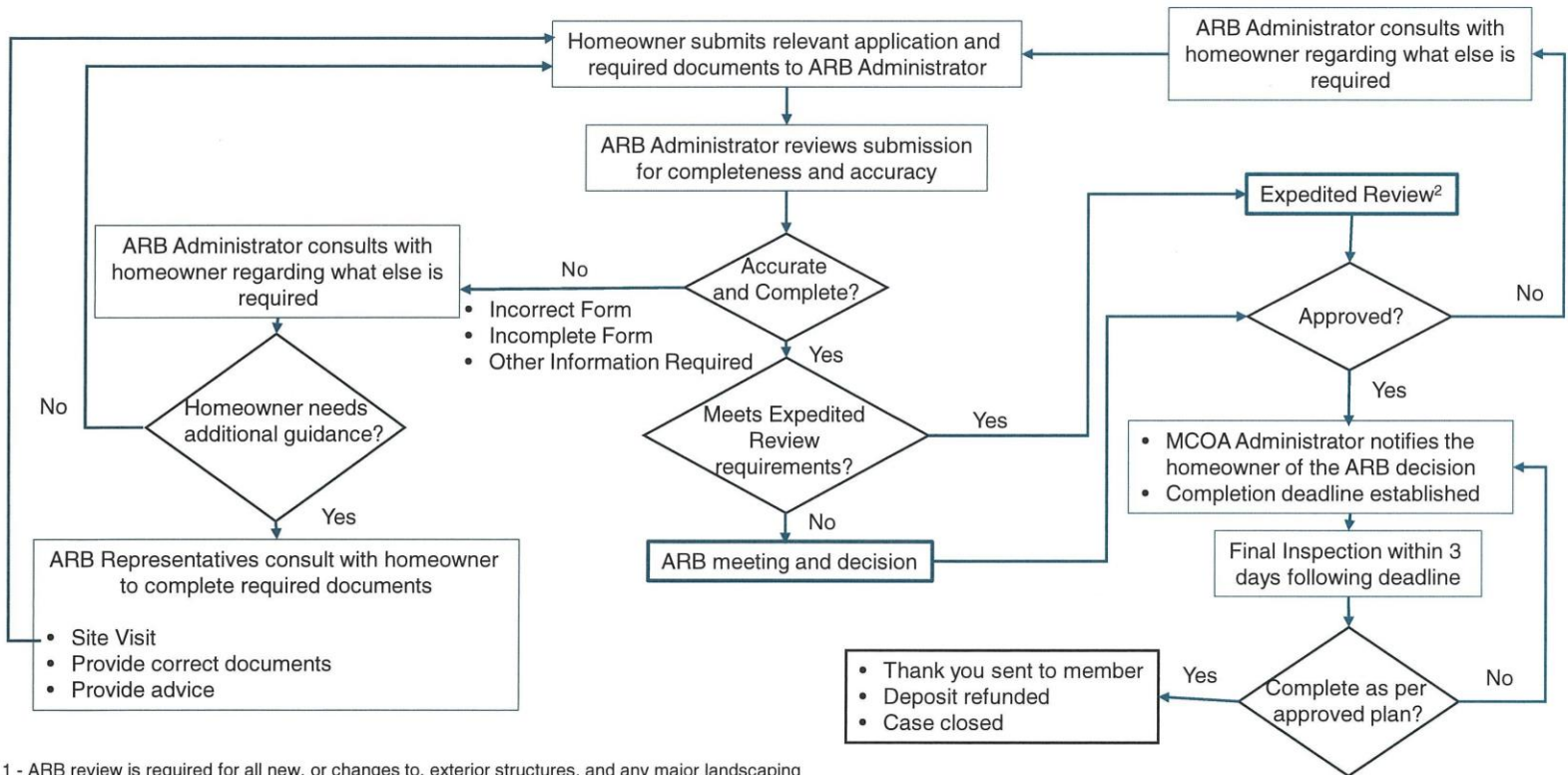
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**Chris Hervocho**  
**President, October 23, 2025**

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**Janet A. Alpert**  
**Secretary, October 23, 2025**

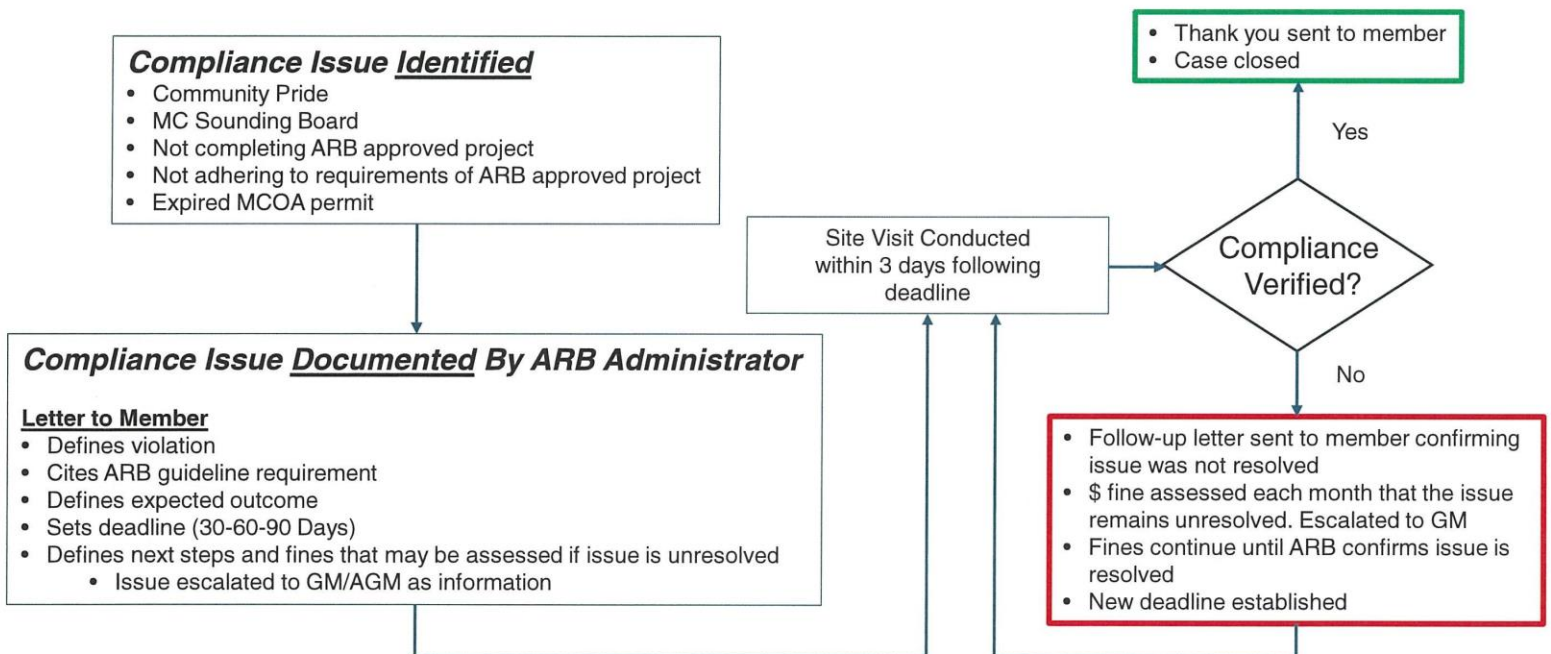
## Moss Creek Owners Association ARB Submission Process<sup>1</sup>



<sup>1</sup> - ARB review is required for all new, or changes to, exterior structures, and any major landscaping

<sup>2</sup> - Expedited review includes projects such as exterior painting, roof replacement, front door replacement or color change, window replacement, tree removal, and driveway repair or replacement

## Moss Creek Owners Association ARB Compliance Issue Escalation Process



MOSS CREEK OWNERS ASSOCIATION, INC.

SCHEDULE OF FINES AND PENALTIES

Depending upon the degree of non-compliance for failure to follow requirements of the Guidelines and Procedures, the Architectural Review Board is authorized to impose the following fines and/or penalties, which, if not paid, could result in a lien on the property:

| Ref | Violation   | Fine/Penalty   |
|-----|---|--|
| 1   | For starting any work prior to ARB approval and/or Moss Creek Building permit (excluding stake out)                 | Up to \$1000   |
| 2   | Variation from the approved site location of the structure:   | Removal of any work completed and re-positioning in correct location.  |
| 3   | Variation in approved first floor and garage floor elevations   | Modification of any work completed and/or rebuilding to the correct elevation.   |
| 4   | Variation from approved driveway or drainage plans  | Modification of any work completed and/or rebuilding as necessary.   |
| 5   | Failure to follow procedures for driveway installation  | Up to \$1000 plus cost of any necessary removal, repairs or rebuilding   |
| 6   | Any unapproved change in exterior design, construction, or color of the structure                                   | <ul style="list-style-type: none"> <li>• Forfeiture of all or a portion of compliance deposit.</li> <li>• Correction of the discrepancies at the discretion of the ARB.</li> <li>• Re-submittal of corrected plans</li> </ul>  |
| 7   | Unauthorized tree removal or damage   | Specimen size tree:<br>Up to \$1,000 per tree plus implementation of an ARB approved tree restoration plan to be started within thirty (30) days of written notification.<br><br>Tree six inches (6") or more in diameter:<br>Up to \$500 per tree plus implementation of an ARB approved tree restoration plan to be started within thirty (30) days of written notification. |
| 8   | Failure to keep job-site free of litter and construction debris: per day after three (3) working days notification. | \$100 per day after three (3) working days notification.   |
| 9   | Failure to remove any dumpster within 1 year without authorized extension:  | \$100 per month.   |
| 10  | Failure to keep construction activity confined to jobsite   | \$100 per day per violation.   |