



MYRTLE TRACE

MYRTLE TRACE HOMEOWNERS ASSOCIATION
GUIDELINES AND RESTRICTIONS

ISSUED BY
ARCHITECTURAL REVIEW COMMITTEE
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CONTENTS

EXTERIOR EXPANSION, ADDITIONS AND ALTERATIONS:	Pgs.3-5
Brick Facing	Pg. 3
Entrance, Screen & Storm doors	Pg. 3
Garage Doors & Screen Panels	Pg. 3
Gutters	Pg. 4
Painting	Pg. 4
Roofing	Pg. 5
Replacement siding	Pg. 5
Winterized Screen Porches	Pg. 5
EXTERIOR ATTACHMENTS:	Pg. 6-7
Air Conditioners & Air Conditioner/ Heat Pump Enclosures	Pg. 6
Decks (Raised)	Pg. 6
Dog Runs	Pg. 6
House Numbers	Pg. 6
Hurricane Panels/Shields	Pg. 6
Non-portable Generators	Pg. 6
Lightning Rods	Pg. 6
Propane Tanks	Pg. 7
Satellite Dishes	Pg. 7
Solar Tubes	Pg. 7
Window Boxes	Pg. 7
PROPERTY IMPROVEMENTS/MAINTENANCE:	Pgs. 8-11
Arbors(See Gardens)	Pg. 9
Border Block	Pg. 8
Driveways/Walkways	Pg. 8
Edging/Ground Cover	Pg. 8
Exterior Lighting	Pg. 9
Flag/Flagpoles	Pg. 9
Gardens	Pg. 9
Hot Tubs (See Gardens)	Pg. 9

Landscaping/Drainage/Drainage Systems	Pg. 9
Lawn Ornaments	Pg. 10
Perimeter Boundary Fencing	Pg. 10
Ponds (See Gardens)	Pg. 9
Privacy Screening	Pg. 11
Retaining Walls	Pg. 11
Screens (See Gardens)	Pg. 9
Trees/Tree Removal	Pg. 11
Trellises (See Gardens)	Pg. 9
Walls (See Gardens)	Pg. 9

APENDIX

Fine Systems: Truck & Recreational Vehicle

Architectural

Non-Architectural

These Guidelines are based on, but not limited to, Article VII of the Master Declaration of Covenants, Conditions, Reservation and Restrictions which has the express purpose of maintaining the original intended appearance of the Myrtle Trace community. The Master Declaration is the basis on which Myrtle Trace was developed and continues to provide a means of control for future modifications, maintenance, and changes in appearance to the residential structures and appurtenances including but not limited to walks, driveways, landscaping and other visible features. In case of conflict between the Guidelines and the Master Declaration, the Master Declaration is the legal document of record for Myrtle Trace.

The Board of Directors has named and delegated the Architectural Review Committee to oversee all the above mentioned modifications/alterations and additions. This is accomplished by submitting a written request to ARC in advance of any planned project. **A PROJECT REQUEST FORM MAY BE OBTAINED BY THE HOMEOWNER AT THE CLUBHOUSE, ONLINE AT MYRTLETRACESC.ORG. OR FROM ANY MEMBER OF THE ARC. ONLY A HOMEOWNER CAN MAKE AN APPLICATION.** Requests from a tenant or contractor, either verbal or written will not be accepted. There are no contractors who are authorized to begin a job without the homeowner first having received ARC approval.

ALL VIOLATIONS OF ARCHITECTURAL REVIEW COMMITTEE (ARC) GUIDELINES CAN RESULT IN A FINE AND OR LEGAL ACTION. ADDITIONAL PROJECT REQUESTS FROM HOMEOWNERS IN VIOLATION WILL NOT BE APPROVED UNTIL THE PREVIOUS VIOLATION IS CORRECTED.

PLEASE BE SURE THAT ANY MODIFICATION TO THE EXTERIOR OF YOUR HOME OR PROPERTY IS SUBMITTED TO THE ARC IN A TIMELY FASHION. EACH APPLICATION WILL BE REVIEWED ON AN INDEPENDENT BASIS AND THE ARC WILL PROVIDE A TIMELY RESPONSE. THE ATTACHED SYSTEM OF FINES, MAY BE IMPOSED ON ANY HOMEOWNER IN VIOLATION OF THESE GUIDELINES.

UNLESS OTHERWISE STATED, ALL PROJECTS LISTED WITHIN THIS DOCUMENT REQUIRE WRITTEN ARC APPROVAL. INTERIOR CHANGES DO NOT REQUIRE ASSOCIATION APPROVAL. All approved projects should be started/completed within six (6) months.

ARC also monitors the parking of commercial vehicles (trucks, recreational vehicles, etc.) as referenced in Article VII, Section 17 of the Master Declaration of Covenants. This article prohibits the parking of such vehicles on homeowner property unless housed in the garage. Recreational vehicles are allowed to be parked in driveways for 48 hours for the purpose of loading, unloading and cleaning. Unlicensed, covered or unregistered vehicles may not be parked on the properties unless also housed in the garage.

(2)

EXTERIOR EXPANSIONS, ALTERATIONS AND ADDITIONS

The ARC must approve **ALL** changes to house exteriors. This includes, but is not limited to, additions of or modifications to screened porches, external doors, including

screen doors or storm doors, windows, skylights, decks, patios and storage areas. It also includes any embellishments to the house, including but not limited to, decorative items visible to others. The color or any painted addition must match that of the house.

The 45-degree rule:

In deciding whether to allow modifications to any property, including additions to bushes, tree plantings, etc. the ARC shall take into account the effect on the view of the property owners neighbors. This will be determined by selecting a logical viewing point at the rear of the neighboring house(s) and drawing imaginary lines at 45 degrees to these homes. The neighbors shall be entitled to a clear view through the 90 degrees between these lines.

Brick Facing:

Addition or replacement of brick facing requires ARC approval. Approved types of brick are “Savannah River” and “Ship Ballast”. Other designs may be approved on a case-by-case basis.

Entrance, Screen and Storm Doors:

Phases I through VII- Full view screen and storm doors are to be color coordinated as per the architect’s design and with the house. Wood grain entry doors will be considered upon submission of specifications.

Phase VIII- Full view screen and storm doors are to be white or the same color as the shutters described on pg. 4. Wood grain entry doors will be considered upon submission of specifications for such door. If wood grain doors are used, shutters must be a compatible color.

All doors must be approved by the ARC.

Garage Doors:

Phases I through VII Garage Doors must be flat panel or raised panel (4 x 4 single or 8 x 4 double) and painted the color of the house.

Phase VIII Garage Doors must be white, raised panel doors (4 x 4 or 8 x 4).

Windows are not permitted in garage doors.

Screen Panels for Garage Doors

Screen panels for garage door openings must be approved by ARC.

In Phases I -VII, the frames must match the trim color of the home and the screen must be black, gray or brown. In Phase VIII, the frame must be white and the screen must be white mesh.

(3)

Painting & Staining:

Applicable to Phase I-VII only:

Approved colors for sidings (exterior walls, fences, etc.) include three (3)

varieties of brown, and seven (7) custom blends, (Monterey Gray, Green-Gray, Blue-Gray, Stonehenge, Beechwood, Plum and Sandcastle.) All trim colors shall be the same color as the house.

There are samples of these colors in the clubhouse, (ARC storage room closet.) Approval for painting or staining the exterior of a house (including privacy fencing) is required. Paints in all the above colors are available from Sherwin Williams or Lowes, both located in the Conway area. This statement is for information only and not meant to indicate a preference for any vendor or manufacturer.

Any exterior pipe, dryer vent, irrigation control panel, etc. must match the color of the house. Any items attached to the house must match the color of the house.

If you are unsure of your paint color, please follow these procedures: Contact any member of ARC to get an unstained cedar chip, have the dealer of your choice paint the cedar chip the color they have mixed for the color you have chosen. Submit this chip to the ARC along with your request for approval. If this color does not match ARC pre-approved colors, the request will be denied, and this procedure will be repeated until it meets the standards of the approved color.

All brick houses may use any pre-approved stain or paint color for trim.

Applicable to Phase VIII only:

Approved color for vinyl siding include Linen, Almond, Cameo, Champagne, Desert Sand, Classic Cream, Brookstone, Everset, Pebblestone Clay, Sage, Sandstone, Silver Gray, and Victorian Gray. Custom blended paints to match these colors shall be used for attachments to the house.

Approved colors for doors and shutters are available in the ARC storage cabinet. Garage doors, garage entry doors, door trims, gutter and downspouts are to be Fencepost White #2074.

Gutters

Phase I-VII gutter color should match the color of the house.

Phase VIII gutter color is to be white.

If it is necessary to modify, add or eliminate gutters, consideration should be given to the following:

Size of gutters and down spouts

Discharge from down spouts and dispersion

Water flow from down spouts is not to impact neighboring property.

Gutter Guards should closely match the color of the roof shingles.

(4)

Windows Phases 1-VII

Vinyl windows may be used for replacement. The color must be coordinated with the house and a sample of the window color must be approved by ARC prior to installation. Bronze color window frames (metal, wood or vinyl) continue to be an approved color. Clear plexiglass panels may be secured to existing window frames

facing the golf course to prevent damage by golf balls.

Roofing:

Phases I thru VIII approved shingles:

ELK/GAF Architectural- 25 yr. Charcoal

Owens-Corning Architectural- 30 yr. Charcoal black

Landmark Certaineed-Architectural-30 yr.-Charcoal

IKO 40 year Architectural- Dual Black

DECRA Metal shingles, charcoal, stone coated

Townhomes in Phase II shall have hickory, GAF Timberline shingles only.

***Note:** Other manufacturers may offer shingles of similar design and color. The homeowner must submit an appropriate sample for ARC review before approval.

Newly constructed sunroom and screen room roofing must be pitched where possible, to allow for matching shingles. All flat roofs must be submitted for approval.

New roofing for existing sun and screen room construction must be submitted for approval.

Fully screened patio rooms may have fully screened roofs. (Birdcage.)

Plumbing or other vents protruding above the roof shall be painted black.

Replacement Siding:

Cedar siding in Phases 1-VII is the developer installed siding. Siding variations include Syn-board and Hardie Plank. **Hardie Plank may be used for total replacement or repair with restrictions.** If either product is to be used, contact ARC for restrictions and recommendations for usage.

Winterized Screen Porches:

Plastic, acrylic, Plexiglas, or any similar material may not be attached to the exterior of the house for weatherproofing.

If plastic sheeting, etc. is used, it must be installed in the inside of the screen and of a material sufficient thickness and tautness to eliminate wrinkles. It must be completely inconspicuous from the outside, and is allowed only for the period of Nov. 1st through March 1st. Prior approval of ARC is required for any installation.

(5)

EXTERIOR ATTACHMENTS

Non Portable Generators:

Must be installed by a licensed electrician. There are no pre-approved models. Manufacturers specifications including dimensions, noise emissions, power source and

transfer switching shall be provided. Location, method of concealment must be provided.

Air Conditioners (Window):

A sketch showing the proposed location of the unit shall be submitted with the request.

Air Conditioner/Heat Pump Enclosures:

Air Conditioner/Heat pump enclosures, when replaced, shall be of sufficient height to conceal the unit and painted to match the color of the house.

Decks: (Raised)

Raised decks may be constructed of wood or composite deck material. Wood decks may be left to weather naturally or painted to match the color of the house. Railings and adjuncts must either be painted to match the deck or be black aluminum or wrought iron. Composite deck material should be of the same or better quality than TREX which has been reviewed by ARC. This material shall be of a color that is compatible with the house. The homeowner shall produce warranty and quality information to ARC prior to construction.

Dog Runs:

Dog runs are permitted providing they are not visible from the street, and providing that the size is kept to a minimum considering the size of the dog. Fencing shall be of standard Myrtle Trace design painted to match the house, **wrought iron** or black aluminum. An ARC representative will do an on-site recommendation regarding placement and size.

House Numbers:

House numbers attached to the houses shall be of standard Myrtle Trace design.

Hurricane Panels/Shields:

Hurricane panels may be installed **only** during times of a named hurricane warning or watch. All externally mounted hardware shall be painted the same color of the house.

(6)

Lightning Rods:

A qualified professional must make the installation. Only the simple spike type is allowed. The ARC may require that the cables be painted to match the house or roof, as applicable.

Propane Tanks:

A sketch showing the relationship of the proposed tank to the house should be submitted with the approval request. Tanks should not be placed between houses, but rather to the rear of the house. Maximum size allowed for above ground installations is 100 gallon capacity. Tanks must be totally shielded from view, either by fencing or by living shrubbery fence. Fencing must adhere to the Myrtle Trace standards, be of sufficient height to conceal the tank, and be painted to match the house. It is the homeowner's responsibility to insure that the installation is in compliance with all local, state and federal code requirements. This includes pressure testing and location. Because of the complexity and legal requirements, professional installation is required.

Satellite Dishes :

Satellite dish installations are subject to review and approval of the ARC. Eighteen (18) inch dishes are preferred. However, no dish larger than one (1) meter, (39.2) inches, will be approved.

The homeowner is required to provide a written description of the satellite dish, accompanied by a diagram depicting the proposed location in relation to the home and property boundaries.

The location of the dish will be reviewed based on:

Maintaining the original intent of the community as a pleasant place to live and visually pleasing to its residents and visitors.

Provision for adequate screening to camouflage the installation.

Provide the homeowner with optimum placement for good reception.

Solar Tubes:

Solar tube installation requires ARC approval. Maximum allowable projection above the roof is 12 to 13 inches. However, in no case will it be above the ridge line of the roof section on which it is installed.

Window Boxes:

Attached window boxes and garden windows are allowed with prior ARC approval. Window boxes and garden windows must be painted the same color as the house.

(7)

PROPERTY IMPROVEMENTS/MAINTENANCE
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Border Block:

Earth tone colors or gray are acceptable. White is not an acceptable color.

Installation may be only two layers in height.

Poured cement border color must be approved prior to installation.

Driveways/Walkways:

Approval is required for resurfacing driveways with the same material as presently applied. In addition, the following guidelines apply:

Paving material shall not protrude above the sod on either side of the driveway, as a ridge would interfere with grass cutting of the MTHOA right-of-way.

Paving material shall not protrude above the edge of the existing roadway.

Paving material should not be deposited and left on the roadway, as roads are MTHOA property.

Approved coating materials for Phases I through VIII are Color Crown Acrylic Pearl Gray, and H & C Silicone Acrylic Concrete Stain (Gull Gray), Champagne, Smoke, and Silver Screen Plus. Brick Accent Color Crown #10 is approved only along the sides of the driveways, walkways, etc. and along expansion joints, but not along the street.

Edging:

Edging: Concrete, wood (pressure treated) Polypropylene materials are acceptable. Colors shall be predominately subdued earth tones that blend in with the natural landscape.

Ground Cover: Earth tone stone/mulch is acceptable(white is not acceptable).Synthetic mulch, brick chips and pine straw may also be used.

Exterior Lighting:

White lighting fixtures and globes are not allowed in Phases I-VII. **Security and landscape lighting shall be located, angled and be of limited wattage so it is not obtrusive to neighbors.** Addition of external lighting fixtures requires ARC Approval.

(8)

Flag and Flagpoles:

Flagpoles which comply with all of the following criteria are acceptable and require ARC approval:

Material shall be steel, aluminum or fiberglass.

Height shall not exceed eighteen (18) feet.

Flag size shall not exceed 4' x 6'.

Non-obtrusive lighting is required for 24 hour display.

Only the flag of the United States may be flown.

Flagpoles attached to houses or garages may fly seasonal, recreational, ancestral and service flags.

Gardens:

Hot tubs, ponds, fences, walls, screens, trellises and arbors all require prior ARC approval. For any gardening requiring significant landscaping change, refer to the section entitled Landscaping, Drainage and Drainage systems.

Landscaping, Drainage, Drainage Systems:

When planning a new or the modification of a landscaping project, the design and plant types should be in harmony with both our natural geographical environment as well as the existing landscapes within our community. Prior ARC approval is necessary in any of the following instances:

Berm or mound construction

Any action that will create or alter swales, installation of drainage lines/grates, or any project which could impact the drainage process.

Installation of artificial grass. Samples must be submitted for approval.

When considering a landscaping project, the homeowner is also directed to the guideline items covering (1) Trees, (2) Gardens, (3) Lawn Ornaments, (4) the 45 degree rule, and (5) Drainage systems.

ARC approval is not needed for:

1. Re-planting of aged or dead shrubbery
2. Planting of annual or perennial flowers in an established bed.

Front Seating Areas:

1. Seating area shall be no larger than 8'x7'.
2. The material shall be concrete or pavers.
3. Greenery should be used to surround the seating area.
4. No umbrellas or large tables or large furniture shall be used.

9)

Lawn Ornaments:

Lawn ornaments, which comply with all of the following criteria, are acceptable. References to lawn ornaments are interpreted in the broadest possible sense. However,

they do not include functional lawn furniture, excepting for color restrictions mentioned below.

- +Ornaments shall be a maximum of two (2) feet in the largest dimension.
- +Birdbaths may be no taller than three (3) feet.
- +Fountains may be no taller than four (4) feet.
- +Lawn ornaments visible from the front of the property will be limited in number and color by ARC to those determined to be in good taste for the community.
- +The subject matter shall adhere to the requirements of the Declaration of Covenants. That is, they should not be unsightly, unpleasant or of a nature which would diminish the enjoyment of other property owners.
- +Colors shall be predominately subdued earth tones that blend in with the natural environment.

Holiday decorations on display during appropriate times of the year are exempt from the restrictions other than those concerning good taste.

Community Perimeter Boundary Fencing:

Installation of fencing along the perimeter of the Myrtle Trace community is allowed. Only the properties backing up to future developments and/or roads of the community, i.e., Burning Ridge Road, Highway 501, West Ridge, Myrtle Ridge Road and **Middle Ridge Avenue** will be considered on an individual basis and must have prior ARC approval. In no case will perimeter fencing be allowed on properties backing up to the golf course and/or lakes.

These perimeter fences should be wood and be constructed of vertical boards as in the case of air conditioner fences. They are to conform to Myrtle Trace standards; that means a height of 6 1/2 feet and painted Burnt Umber or equivalent, (the same color as the mail box posts.) Burnt Umber is manufactured by Pittsburgh Paints. The rule of privacy screening, as indicated below, still applies.

In Phase VIII, solid white vinyl fences, the same height as above, are the approved perimeter fencing.

Privacy Screening:

Installation of fences along property lines is no longer permitted. Privacy screening may be provided by planting of shrubbery or trellises planted with climbing greenery. The 45 degree rule is to be observed. Prior ARC approval is required.

(10)

Retaining Walls:

Retaining walls for lake banks may be installed by homeowners. A member of ARC will meet with the homeowner to review the wall specifications. The type A retaining wall is the standard for the community. Failure to construct the retaining wall as

approved will result in a violation, subject to removal, reconstruction and a fine as defined by the System of Fines approved by the Myrtle Trace Homeowners Association Board of Directors.

Trees:

The planting of trees or bushes in areas affecting other resident's enjoyment of their property requires approval from ARC. Planting of trees on the MTHOA right-of-way or on lake banks is prohibited. The 45 degree rule is to be observed.

Requests for tree removal from homeowner property must be submitted to ARC.

No more than 4 trees may be removed during any 6 month period. This limit may be waived in the event of special circumstances. (See Below)

Approval for tree removals will be granted for the following reasons:

1. Diseased/disfigured or wind damaged.
2. Tree thinning* where clustered trees have grown too close.
3. Tree roots* are causing damage to sidewalks, driveways, etc.
4. Trees* where roots have undermined the house foundation.
5. Trees* which have become overgrown with branches laying on roofs or gutters.

*NOTE: Subject to City, County or State Regulations

Each written request will be reviewed on site by a member (s) of the ARC and the homeowner. Written approval will be granted where appropriate. When trees are approved for removal, the homeowner is required to discuss replanting with the committee for continuance of proper screening and community appearance.

Stumps shall be removed (concealed if not removed) if they are visible on the property.

All tree trimming/pruning needs to be approved by ARC with the exception of Bradford Pear, Palm and Myrtle trees which may be trimmed/pruned without prior approval

Special Circumstances:

When a tree (s) have fallen or have become a danger to the residence due to a hurricane, high winds, or winter storm, they may be removed without approval. The resident must complete a Project Request Form in this case to establish record of the removal.

Penalty for Unauthorized Tree Removal:

The penalty for unauthorized tree removal includes the Architectural System of Fines (\$50 for failure to submit a Project Request and \$ 100 for the violation.) In addition, a **\$500** fine for each tree removed will be imposed upon the homeowner. Also, replacement of the trees removed is required. Tree replacement will be of a size, number and type (not under 6 ft.) approved by the ARC. (Planting if done by the HOA is **\$150** per tree.) Tree replacement must meet type specifications determined by ARC.

PROHIBITED ITEMS

Free Standing Storage Sheds

Gazebos

Large external antennas

Laundry:

The drying of laundry, towels, etc. on lines, poles or any exterior surface of the house or deck/patio is prohibited.

Private swimming pools

Retractable Awnings/Awnings/Sails:

Plastic, Vinyl or similar fabric awnings are prohibited.

Tents, Tent Enclosure, Free Standing Structures:

These include portable screen rooms and pergolas.